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Written Testimony of
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New York State Senate Standing Committee on
Higher Education

Hearing on Oversight over For-Profit Schools

April 10, 2019

Thank you for this opportunity to submit testimony to the New York State Senate Committee on Higher Education concerning oversight of for-profit colleges.

Each year, thousands of New York students attend for-profit colleges. Unfortunately, many for-profit colleges lure student with false promises of economic success and leave students with few job prospects and insurmountable debt. In the past several years, our office's investigations of for-profit colleges have revealed widespread abuses by for-profit schools. Despite the proliferation of such abuses, and of poor student outcomes in the for-profit sector, the current federal administration has substantially weakened federal oversight of for-profit colleges and dismantled many protections for for-profit college students. In the absence of adequate federal oversight of for-profit colleges, state-level action is critically needed to protect New York students and to safeguard New York taxpayers' investment in higher education.

A. State-level oversight over for-profit colleges is critically needed.

Our office's investigations of for-profit colleges have revealed widespread abuses in the sector, including deceptive claims about graduates' employment and salary outcomes; misrepresentations of graduates' eligibility for professional licensure; misrepresentations about students' ability to transfer credits; and placement of students in loans that the schools knew their graduates would not be able to pay back. Our office's investigations have led to multiple settlements with for-profit college operators and millions of dollars in restitution and debt relief to New York students.¹

While our office's enforcement actions ended abuses at a number of schools, enforcement actions alone cannot rectify the proliferation of low-quality, high-cost programs that leave students with enormous debt and bleak job prospects. To combat such poor outcomes, for-profit schools must be held to minimal accountability standards. The Obama Administration's Department of Education created such standards in the form of the Gainful Employment Rule,

¹ Our investigations have led to settlements with Career Education Corporation (\$9.25 in restitution for students); EDMC (\$2.3 million in restitution for students); DeVry University (\$2.25 in restitution for students); a company that provided student loans to Corinthian Colleges, Inc. students (\$2.4 million in restitution for students); and Flatiron Computer Coding School (\$375,000 in restitution for students).

which linked for-profit college's eligibility for federal funding to measures of graduates' ability to repay their loans. Programs that failed to meet the benchmarks over several years would lose access to federal Title IV funds. This protected both students and taxpayers by ensuring that federal aid was not spent to fund programs that fail to prepare students for employment. The Gainful Employment Rule also required schools to disclose key information about student outcomes such as graduation rate, student debt, and student earnings, to prospective students. Unfortunately, after the change in administration, the U.S. Department of Education delayed the implementation of the Gainful Employment Rule and then announced a plan to rescind the Rule.²

In addition to scrapping the federal accountability standards and disclosure requirements of the Gainful Employment Rule, the Department of Education gutted a number of other federal protections for students. For example, the Department delayed the implementation of a rule that protected victims of for-profit school abuses, the Borrower Defense Rule. The Borrower Defense Rule established a process for students to apply for a discharge of their federal loans when their schools commit misconduct. The Rule also prohibited schools from forcing students to waive their right to bring court challenges against schools that defraud them. Our office, along with 18 other state attorneys general, brought a successful legal action to challenge the Department's delay of the Borrower Defense Rule. In September 2018, the federal court hearing the states' lawsuit ruled that the Department's delay was unlawful.³ As a result, the Borrower Defense Rule is now in effect. However, the Department has started the process of replacing the rule with a much weaker rule.

The Department of Education has also launched an effort to further weaken federal oversight of for-profit colleges by weakening accreditation standards and by easing restrictions on schools' ability to outsource entire programs to non-regulated third-party entities. This will open the door to more abuses by unscrupulous for-profit schools. In the wake of these extensive rollbacks of federal regulation of for-profit colleges, state-level action is critically needed to protect students in New York.

B. State-level accountability standards would provide a meaningful check on for-profit schools.

In light of the absence of adequate federal oversight of for-profit schools, state-level action is needed to protect students in New York. In particular, state-level accountability standards for for-profit colleges are needed to fill the void in federal accountability standards. Such standards would provide a meaningful check on for-profit schools by weeding out programs that fail to deliver value to students.

One approach to state-level accountability standards would be to link such standards to eligibility for state financial aid. The accountability standards could include benchmarks for loan default rates, graduation rates, job placement rates, and/or graduate debt-to-income

² Our office has joined other states in a lawsuit challenging the Department's delay of the Rule. That lawsuit is still pending.

³ *Bauer v. DeVos*, 325 F. Supp. 3d 74 (D.D.C. 2018).

ratios. Programs that fail to meet the benchmarks over a period of several years would risk losing eligibility for state financial aid funds.

Other states have successfully enacted for-profit accountability standards linked to eligibility for state financial aid. For example, in 2012, California enacted state laws that barred schools with extremely low graduation rates or high loan default rates from receiving state aid.⁴ This approach makes sense in New York, as well. New York provides more state funds to for-profit schools than any other state -- \$72 million in 2015 alone.⁵ Linking state funding to accountability standards would help to protect both New York students and taxpayers from investing in low-quality programs.

However, not all for-profit colleges participate in state financial aid programs, and even those that do participate rely on state financial aid for only a part of their funding. Loss of state financial aid funding may not serve as a strong enough deterrent to ensure that for-profit schools do not offer high-cost, low-quality programs in New York. Lawmakers should consider linking accountability standards to schools' continued eligibility to enroll new students in failing programs. For example, legislation could establish minimum graduation rates, job placement rates, loan default rates, and/or loan repayment rate standards and provide that programs that fail to meet these benchmarks over an extended period of time must cease enrolling new students. This would go a long ways towards protecting students and taxpayers from wasting funds on valueless programs.

In addition to accountability standards, state lawmakers could consider imposing state-level consumer disclosure requirements on for-profit schools. Disclosures could potentially help prospective students compare programs and perhaps help some students avoid choosing low-quality programs. However, disclosures, by themselves, are insufficient to address the serious problems in the for-profit sector. Deciphering disclosures can be difficult for students, and many do not read all disclosures. Accordingly, increasing disclosure requirements would have a limited impact and would not adequately address the serious and widespread problems in the for-profit sector.

As detailed above, the New York Attorney General's Office has extensive experience investigating and bringing enforcement actions against predatory for-profit colleges. We have also participated in multiple lawsuits challenging the federal government's efforts to dismantle regulations protecting for-profit college students and have participated in the process of developing federal rules related to for-profit colleges. These varied experiences have provided our office with considerable expertise and unique insight into the need for strong state regulation of for-profit colleges.

⁴ See *Sub-par for-profit colleges soak us all*, Tom Hilliard and Matt A.V. Chaban, Albany Times Union, April 25, 2018.

⁵ *Id.*

The New York Attorney General's Office strongly supports state-level legislative efforts to impose accountability standards on for-profit schools in New York. In the wake of the federal government's rollback of regulations governing for-profit colleges, state-level accountability requirements for for-profit schools are urgently needed. Such requirements would offer crucial protections to the low-income communities, veterans, first-generation college students, and communities of color targeted by for-profit colleges.

TESTIMONY OF THE ASSOCIATION OF PROPRIETARY COLLEGES

FOR THE NEW YORK STATE SENATE COMMITTEE ON HIGHER EDUCATION

APRIL 10, 2019

**PUBLIC HEARING TO EXPLORE WAYS TO REVIEW OVERSIGHT OVER FOR-PROFIT SCHOOLS IN
ORDER TO BETTER INFORM STUDENTS, PARENTS, AND CONSUMERS ABOUT FOR-PROFIT
EDUCATION SCHOOLS**



Excellence. Access. Affordability.

TESTIMONY PROVIDED BY THE ASSOCIATION OF PROPRIETARY COLLEGES (APC)

Senator Stavisky, Senator LaValle, and members of the Legislature – thank you for giving the Association of Proprietary Colleges (APC) the opportunity to submit written testimony regarding the oversight of for-profit institutions in order to explore ways to better inform students, parents, and consumers about for-profit education. My name is Donna Stelling-Gurnett. I am the President of the Association of Proprietary Colleges (APC). You will hear directly from three of our member institutions: Monroe College, LIM College, and Bryant & Stratton College, who will provide more specific information on their institutions and some of the challenges they confront on a daily basis. In addition, in Exhibit M, we have included the additional data you requested from APC member colleges.

Before I begin, I wish to thank the Senate for its leadership in rejecting the Governor’s “For-Profit College Accountability Act.” As you know, the Act would have eliminated the entire sector of for-profit education in New York State. The issues raised in the Governor’s proposal are complex and are inextricably intertwined with student debt controlled by the federal government. We look forward to engaging in deeper discussions about higher education and, specifically, on issues related to oversight, accountability, student loan debt, student defaults, and ensuring New York remains a leader in higher education.

Today’s hearing is focused on the oversight of for-profit institutions and examining ways that students, parents, and consumers can gather better information to make informed decisions. APC believes New York is a model for the rest of the country. Many of the abuses in for-profit education that garner national headlines have been avoided in New York because, unlike other states, New York treats for-profit colleges as true colleges, rather than something less than, and applies to for-profit colleges the same standards that are applied to all other public and non-profit colleges. This regulatory structure ensures quality educational programs for students, no matter where they attend, and provides institutions of all shapes and sizes a framework in which they can develop curricula and programs that meet the needs of both students and local industry. In addition to addressing the regulatory structure, my testimony will address:

- Claims made by critics that proprietary colleges are unregulated
- Misinformation about the outcomes and quality of education provided by proprietary colleges
- Whether additional oversight or regulations are needed

APC was founded in 1978 and today represents 12 degree-granting proprietary colleges on 23 campuses across New York. APC member colleges are family-owned institutions that have been educating students in our State for decades. The families that own these institutions are deeply-rooted in their communities and are committed to educational excellence, access, and affordability – moreover, they have a long history of producing strong outcomes for students of diverse backgrounds, especially for students who graduate from our urban K-12 school districts. *For more information on APC, its member colleges, and how we serve our students well, please see Exhibit A.*

New York's proprietary sector is much smaller today than it was ten years ago. Today, there are 25 degree-granting proprietary institutions in the State and, while APC represents only 12 of those institutions, APC member colleges educate over 75% of the students enrolled in a proprietary college. New York has never had a robust proprietary sector akin to those that exploded in other states and, over the last few years, many proprietary colleges have closed,¹ especially the large, national chains such as ITT Technical Institute (which operated campuses in Buffalo, Syracuse and Albany), Corinthian Colleges (which owned the Everest Institute), and the Art Institutes (which operated in New York City). What remains are the longstanding privately-held, primarily family-owned institutions that continue to provide quality education that meet or exceed federal or State standards. APC member colleges look forward to continuing to exist for decades to come and continuing to meet local employer needs while responding to the individual needs of their students.

I. Concerns Raised by Critics and Flaws in Recent Proposals

Many critics of proprietary colleges would have you believe that our institutions lack sufficient oversight, with some going so far as to claim that proprietary colleges as a whole are inferior, predatory institutions driven by selfish interests, rather than the best interests of their students.

These critics refuse to acknowledge our institutions' longstanding demonstrated outcomes and the critical role for-profit colleges play in New York. Additionally, these critics have spent many years at the national level trying to influence the U.S. Department of Education's regulation of proprietary education without luck and are now apparently taking their attack to statehouses across the country. Since January, at least eight states have introduced legislation aimed at crippling the for-profit sector.² We do not believe this flurry of legislation to be a coincidence, but rather a coordinated strategy pushed by those who have been unsuccessful at the federal level.

So what exactly are our critics saying? Many of the concerns raised relate to student debt, student outcomes, and oversight of proprietary colleges. They assert that for-profit colleges are only interested in making profit and are not committed to their students, and question whether these institutions are serving their students well by analyzing the amount of funding spent on instruction, the amount of money students borrow to attend, and how much students earn after they graduate. On their face, our critics appear to have valid concerns about the students – but the underlying truth is that our critics simply have a philosophical belief that “for-profit is bad” and, therefore, for-profit institutions do not have a place in higher education. If they were really concerned about students or the national student debt crisis, they would be advocating for increased oversight of all colleges and universities – not just one sector.

Rather than engage in thoughtful conversation with a goal of seeking solutions, our critics instead propose legislation that has unintended consequences, does not protect students, and does nothing to ensure high quality programs or institutions. The Governor's budget proposal that the Legislature

¹Briarcliffe College (2018), Art Institute of New York City (2017), New York Career Institute (2017), Globe Institute of Technology (2016), ITT Tech (2016), and Utica School of Commerce (2016).

²Over twenty bills that would impose strict measures on for-profit institutions have been introduced in four months in the statehouses of California, Oregon, Washington, Maine, New York, New Jersey, Maryland, and Virginia.

rejected this year is a great example. The proposal did not measure accountability, but rather relied on illogical and flawed metrics that would have eliminated an entire sector of higher education in New York, and would have had devastating impacts on over 26,000 students, 6,000 employees, and the workforce pipelines and backbones of countless communities and economies across the State.

The Flaws in Governor Cuomo’s Proposal and Similar Proposals Lauded by Our Critics

The similarities between the proposal put forth by Governor Cuomo in his Executive budget and the policies supported by our critics cannot be ignored, both in terms of the biased rhetoric against proprietary institutions and the nature of the metrics proposed and the flaws of those metrics.³ Governor Cuomo and the critics observe that student debt levels in the United States are at a critical point, and point to the rollback of Obama-era regulations by the Trump Administration and ongoing negotiated rulemakings at the federal level as a “gap created by the absence of federal regulations” necessitating, for the first time, the imposition of regulations focused on only the proprietary sector.⁴ As we will discuss in more detail, New York has never created regulations for just one sector of higher education – rather, New York has always created regulations that treat all four sectors of higher education the same. Further, New York has never proposed regulations that would close an entire sector of higher education based on metrics that do not directly relate to program outcomes, nor has it proposed regulations without the support of the New York State Education Department and the New York State Board of Regents, which oversee these colleges.

As an initial matter, there is no absence in federal regulations relevant to student lending or the oversight of for-profit colleges. Existing rules related to student lending have remained in place, and issues related to student loan servicers have been addressed at both the federal and State level. Many critics claim that the Obama Administration’s Gainful Employment (“GE”) rules have been weakened by the current presidential administration. The irony of this claim is that all of GE disclosures remain in place and continue to provide students and families with plentiful information about college and their programs. The only GE requirement not being enforced is the debt-to-earnings metric, because information regarding student earnings remains unavailable from the Social Security Administration and, therefore, the metric cannot be calculated as prescribed. This issue has nothing to do with the institutions regulated or the current administration, but rather results from a design flaw in the original regulation. *Further information on Gainful Employment disclosures is provided in section III and in Exhibit K.*

We believe the real reason our critics are making false and inflammatory statements is that they believe all public monies should support public institutions, even if these institutions do not have good outcomes or high quality programs. There is no question that low-income and minority students enroll at proprietary colleges at higher rates than some other sectors. The question that should be asked is: Why? What do proprietary colleges provide to low-income students and minority students that public or other private institutions do not? Enrollment cannot be attributed solely to advertising or marketing, as our critics would have the general public believe. Another

³ Compare Yan Cao, Governor Cuomo Demands Quality from For-Profit Colleges – Or Else, THE CENTURY FOUNDATION, Jan. 17, 2019, <https://tcf.org/content/commentary/governor-cuomo-demands-quality-profit-colleges-else/> and For-Profit College Accountability Act, S.1506, 203RD LEGISLATURE OF NEW YORK STATE, Part E (2019).

⁴ See Cao, *supra* note 2.

critical component of any analysis on this issue is the comparison of the outcomes of for-profit colleges to other colleges with similar student populations or similar geographic locations. These comparisons are important to truly understanding the outcomes of for-profit colleges because many of the students who enroll are from the local community, have graduated from local high schools, and hail from urban areas that have higher rates of poverty than neighboring communities. These factors are especially important to analyzing educational outcomes in New York, because the quality of education provided is so highly regulated by the State Education Department and standards for quality apply to all colleges and universities.

Our critics also claim for-profit colleges charge inflated tuition rates which are set solely based upon the ability of shareholders to reap profit from public funding sources, including grants, scholarships, and loans. In New York, this could not be further from the truth. APC member colleges are committed to keeping college affordable. While the revenue at our colleges is derived predominantly from tuition and fees, this revenue supports academic programs, faculty, student support services, and institutional aid, as well as the property taxes and payroll taxes for-profit colleges pay to the federal, State and local governments. A closer examination of tuition and fees demonstrates that while tuition costs are higher at proprietary institutions than those at a public institution, public institutions are able to cover a large portion of expenses with taxpayer subsidies. As many representatives of our public colleges and universities have attested during State budget hearings, if public colleges and universities had to manage costs without any taxpayer subsidy, their tuition and fees would increase significantly.

Now that some of our critics' claims are front and center, I wish to take a few minutes to provide additional information about the Governor's flawed and illogical budget proposal that was supported by our critics and components of which are included in legislation introduced in other states across the county.

The "80/20 Rule"

The most detrimental of the proposals is referred to as the "80/20 Rule," which would have required proprietary institutions to demonstrate that no more than 80% of tuition revenue is derived from public sources, including need-based student financial aid programs such as New York State's Tuition Awards Program (TAP), federal Pell Grants, and student loans backed by the federal government. This proposal is a significant departure from the existing federal "90/10 Rule," which not only has a public revenue cap of 90% (rather than 80%), but also limits the restricted funding sources to only Title IV funds (Pell Grants and federally-backed loans), rather than "any and all" taxpayer sources.

The Governor's budget proposal, for the first time ever, attempted to restrict student choice and opportunity by limiting the amount of tuition revenue a college can receive from public sources. On its face, it may seem prudent to require for-profit institutions to derive as much revenue as possible from non-public sources; however, the reality is that the 80/20 Rule is an undeniably regressive policy that would have disproportionate negative impacts on low-income students, students of color, and first-generation college students – in other words, the student populations who are more reliant on need-based programs and loans to finance their educations.

Make no mistake: APC supports accountability for public funds. However, the 80/20 Rule entirely misses the mark because – unlike public and non-profit institutions, where tuition revenue accounts for just 20% and 30% of total revenue, respectively⁵ – proprietary institutions receive no direct State or federal appropriations or aid and, therefore, tuition revenue inherently accounts for over 90% of total revenue. Accordingly, the 80/20 Rule is effectively a punishment imposed on institutions whose financial statements simply reflect the demographic of students served.

During the budget process, critics as well as the Governor’s office suggested that for-profit colleges could change their business model to meet the metric. They suggested for-profit colleges could get businesses to pay for the tuition or could increase the number of students who can pay cash for their education. The reality is this is not a viable solution to the problem, nor does it help students or prevent abuse. Rather this type of solution would result in APC member colleges having to move away from their longstanding missions and stop educating low income or minority students in order to meet a metric that has no direct correlation with program quality or student success after graduation.

The “50% Rule”

The second pillar of the Governor’s proposal – which I’ll refer to as the “50% Rule” – is likewise detrimental, but more so due to its sheer illogicality from the perspective of financial accounting standards and the day-to-day operations of a typical college or university. The 50% Rule would require degree-granting proprietary institutions to spend at least 50% of all expenditures on student “instruction”, with instruction defined solely as the **salary and benefits of faculty members**.

As a general practice, no prudent chief financial officer of a college or university would allow 50% of an institution’s expenditures to be allocated solely towards faculty salary and benefits. Indeed, the exceptions to this practice are so few and far between that, according to data published by the U.S. Department of Education, only 5 of the 255 institutions in New York State would meet this metric.⁶ For the other 250 institutions across New York State, instructional salaries constitute an average of total expenses as follows:

- Non-profit institutions: 16.5% (with most spending 21%)
- Public institutions (SUNY and CUNY): 19.0%
- Degree-granting proprietary institutions: 18.3%
- **APC member institutions: 31.0% of total expenses**

As you can see, most colleges and universities across New York State – regardless of whether public, non-profit, or proprietary – allocate approximately the same amount of expenses towards faculty compensation (16–21% sector wide), exposing the proposed 50% Rule’s requirement as nothing more than a targeted ploy to falsely paint proprietary institutions as underinvesting in

⁵ *The Condition of Education (2016)*, U.S. DEPARTMENT OF EDUCATION, <https://nces.ed.gov/pubs2016/2016144.pdf>.

⁶ The following non-profit institutions – all of which notably have specialized missions – are the only institutions of higher education in New York State at which average expenses on instructional salaries constitute 50% or greater of total expenses: Yeshiva Karlin Stolin (62.2%), Yeshiva Derech Chaim (58.0%), Finger Lakes Health College of Nursing (65.1%), Belanger School of Nursing (53.8%), St. Joseph’s College of Nursing at St. Joseph’s Hospital Health Center (52.0%). See Integrated Postsecondary Education Data System (IPEDS), U.S. DEPARTMENT OF EDUCATION, <https://nces.ed.gov/ipeds/>.

students' educations. In addition, we have concerns with measuring an institution's investment in education solely by faculty compensation. Not only does faculty compensation vary widely due to several factors⁷... but is a professor's take-home salary *really* the best measure of all that goes into providing a quality college education?

Our critics advocate that academic supports help low income and minority students, but then refuse to acknowledge or account for these costs in their analysis to determine whether for-profit colleges are providing a quality education.⁸ They claim reliance on the amount of expenditures tied to instruction is a better indicator because instruction does not incorporate other costs, such as advertising and marketing. If the real issue relates to advertising and marketing, then the critics should clearly state as much, rather than trying to tie educational quality to a metric that does not fully account for students who need additional academic supports or assistance to succeed.

Additionally, it should be noted that all institutions – public, non-profit, and proprietary – are required to report data to the U.S. Department of Education on an annual basis, which becomes publicly available, that demonstrates the expenditures made by a college during the previous academic year. Every college and university has a level of discretion in how certain expenses are allocated across cost centers: If our critics wants to raise this as an issue, it should be recognized that the financial data of all institutions across all sectors carry this asterisk, not just proprietary institutions. Second, our critics' attempts to paint proprietary colleges as the biggest spenders on marketing and recruiting are false: TCF, for instance, fails to acknowledge that its own cited source actually states that:⁹

- Advertising purchases by 4-year non-profit institutions comprise 63% of all advertising by all sectors; and
- From 2013–16, ad spending by...
 - Non-profit institutions increased by 40%
 - 4-year public institutions increased by 43%
 - 2-year public institutions increased by 48%
 - For-profit institutions decreased by 1.1%.

These misleading characterizations do not end there. Critics have advocated for their own formulas to determine whether an institution is providing students with a quality education and whether the investment made by the student to attend an institution is actually worth it. *Additional information on the formulas and a deeper analysis is provided in Exhibit D.*

APC commends the Governor for his work to improve higher education in New York, but his proposal was fatally flawed in that the metrics simply did not make sense and would have had a

⁷ Such as the size of an institution, the subject areas in which a faculty member has expertise or holds credentials, other duties of faculty members such as research obligations or leadership roles, and the cost of living in the community in which an institution is based, among others.

⁸ Stephanie Hall, *How Much Education Are Students Getting for Their Tuition Dollar?*, THE CENTURY FOUNDATION, Feb. 28, 2019, <https://tcf.org/content/report/much-education-students-getting-tuition-dollar/>.

⁹ Bob Brock, *College Advertising at All-Time High*, EDUCATIONAL MARKETING GROUP, Oct. 5, 2017, <https://emgonline.com/2017/10/college-advertising-at-all-time-high/>. See also Rob Zinkan, *Are We Asking Higher Ed Advertising to Do Too Much?*, INSIDE HIGHER ED, Aug. 17, 2017, <https://www.insidehighered.com/blogs/call-action-marketing-and-communications-higher-education/are-we-asking-higher-ed-advertising>, stating that public and private non-profit institutions “accounted for all of the 2013–16 growth in ad spend.” (emphasis added)

regressive impact on low-income students and students of color. Even if it were possible to improve the soundness of his proposal, New York simply cannot solve a nationwide generational financial crisis on its own. **National student loan debt totals over \$1.5 trillion and affects over 44 million Americans**¹⁰ – problems of this scale and severity cannot be solved by New York State alone, or even in tandem with likeminded states, because **\$1.4 trillion of that student loan debt is held and administered by the federal government.**¹¹ **This is an issue that needs the attention of the U.S. Congress, not the State Legislature.** Because of this, APC and our member colleges have advocated for changes to federal student financial aid programs (commonly referred to as “Title IV” programs) that would help alleviate student debt, increases to federal oversight to protect students from fraud and abuse, and regulations applicable to all colleges and universities that would require meeting specific student outcomes in order to be eligible to participate in federal or state loan, grant, and scholarship programs.

While reeling in the federal student loan program is outside the ability of New York State, what the State Legislature has done – and can continue to do – to help keep student loan debt low is ensure the Tuition Assistance Program (TAP) and other State-administered grant and scholarship programs continue to be funded at current levels or higher, because every dollar the State gives to students in need-based aid is a dollar they no longer need to borrow.

II. Current Landscape of Educational Oversight

While today’s hearing is the result of the Governor’s budget proposal and claims made by our critics, we welcome the opportunity to discuss the oversight of the sector as well as the outcomes of our member colleges. Any conversation about oversight must start with the current regulatory structure in New York.

The New York State Board of Regents, led by Chancellor Betty Rosa, is responsible for overseeing all educational activities within the State. The Regents preside over The University of the State of New York (USNY),¹² which is comprised of all institutions of higher education in New York State and is “the most complete, interconnected system of educational services in the United States.”¹³ The Regents also preside over the New York State Education Department, led by Commissioner MaryEllen Elia, and all of its programs and activities, and the Commissioner of Education reports to the Board of Regents. The Board of Regents is empowered to promulgate its own regulations, and the Board has final approval of any regulations promulgated by the State Education Department. Unlike other states, New York subjects all degree-granting institutions (i.e., colleges and universities, proprietary and otherwise) to the same rigorous permissions and approvals – including those for permission to operate, authority to grant degrees, and approval of each and every academic program proposed to be offered – all overseen by the New York State Education

¹⁰ Zack Friedman, *Student Loan Debt Statistics in 2018: A \$1.5 Trillion Crisis*, FORBES, June 13, 2018, <https://www.forbes.com/sites/zackfriedman/2018/06/13/student-loan-debt-statistics-2018/#3fb363647310>.

¹¹ *Federal Student Aid Portfolio Summary 2018*, U.S. DEPARTMENT OF EDUCATION OFFICE OF FEDERAL STUDENT AID, <https://studentaid.ed.gov/sa/about/data-center/student/portfolio>.

¹² Not to be confused with the State University of New York (SUNY).

¹³ *About the University of the State of New York (USNY)*, NEW YORK STATE EDUCATION DEPARTMENT, <http://www.nysed.gov/about/about-usny>.

Department.

Put simply, there are no colleges in New York State that are underregulated or less regulated, because all colleges in New York are part of the University of the State of New York (USNY), all colleges fall under the purview of the Board of Regents and the Commissioner of Education, and all colleges are regulated under the same numerous regulations and rules of both the Regents and the Commissioner: Indeed, elite institutions and humble community colleges alike must meet the same academic quality standards, and the same applies regardless of whether an institution is publicly- or privately-owned or organized as a non-profit or for-profit entity. New York State is unique in that it treats all sectors of higher education equally – this policy has long been a bedrock of New York’s approach to ensuring students have access to quality educations regardless of where in New York State they live, the financial means available to them, and the type of educational experience they seek.

Among these numerous regulations and rules with which all institutions must comply are the stringent programmatic approval requirements set forth in 8 NYCRR § 52.1 et seq. (more commonly referred to simply as “Part 52”).¹⁴ In addition, all colleges and universities in the State, proprietary and otherwise, who elect to participate in federal Title IV student financial aid programs must be accredited by at least one nationally recognized accrediting agency approved by the U.S. Department of Education – thereby subjecting themselves to additional regulation and oversight both by approved non-governmental entities and by federal regulators.

Critics of proprietary colleges argue that institutions that operate on a for-profit basis are businesses motivated by profit, rather than legitimate educational institutions. Not only is this assertion insulting to the dedicated educators, administrators, and staff at these institutions, it denigrates the oversight authority of the Regents and the Commissioner. Whether an institution operates as a for-profit or non-profit entity is a sheer matter of treatment under tax laws – it is entirely irrelevant to the quality of education provided. Most importantly, under New York State’s education laws, our institutions are recognized and regulated as colleges with a long history of contributions to both the field of education and the communities they serve and as an essential component of the State’s vast array of over 250 institutions of higher education.

As colleges, the New York State Education Department’s Office of College and University Evaluation (“OCUE”), Office of Professions (“Professions”), and Office of Higher Education (“OHE”) all have oversight of proprietary degree-granting institutions. Accordingly, our colleges must abide by all the same requirements related to granting degrees and ensuring quality of academic programs offered to students as those that must be met by some of the State’s most selective and prestigious institutions. Similarly, academic programs leading to licensure in certain occupations – such as teaching, nursing, dental assisting, and massage therapy – are required to meet Statewide licensure qualifying requirements to ensure students who graduate from those programs will be eligible for a license after graduation. In addition, online academic programs are subject to a higher level of scrutiny and any institution providing online programs is required to receive approval from the State Education Department pursuant to the State Authorization Reciprocity Agreement (SARA) to offer the program to students residing both in and outside New York State.

¹⁴ See Exhibit B: Criteria for Mandatory Program Authorization (“Part 52 Rules”).

One of the most important roles of the Board of Regents is its review and approval of all academic programs offered by degree-granting institutions of higher education. This process, more commonly referred to as “program registration,” is the State Education Department’s “chief means to ensure that colleges, universities, and professional schools maintain quality standards.”¹⁵ Whenever a degree-granting institution wishes to offer a new academic program to its students, it first must seek approval from the Board of Regents prior to enrolling any students. The program approval process entails fully vetting a program to ensure sufficient financial resources are available to support the proposed curriculum, faculty have the appropriate qualification and credentials to teach the academic subjects covered, the curriculum and syllabi are suitably rigorous, there is demand for the program, and that the institution is consistently providing a quality education that produces satisfactory results prior to a program being approved. In addition to its role in program registration, the Board of Regents has been recognized by the U.S. Department of Education as an institutional accrediting agency for degree-granting institutions of higher education,¹⁶ and while the Regents’ role as an accreditor is much smaller than its role in program registration, the federal government’s recognition of the Regents as an accrediting agency means that the Regents have been “determined to be reliable authorities as to the quality of education or training provided by the institutions of higher education.”¹⁷ Therefore, the Regents’ Part 52 program registration standards – which are mandatory and applicable to all degree-granting institutions in the State – should likewise be understood to provide a reliable, rigorous method of ensuring education quality.

The vast majority of New York State’s degree-granting institutions of higher education are accredited by an accrediting agency other than the Board of Regents,¹⁸ such as the Middle States Commission on Higher Education (MSCHE) or specialty accreditors focused on accrediting colleges offering certain types of programs, such as nursing. Accreditation inherently subjects colleges to additional scrutiny, requirements, and standards to meet on top of the State Education Department’s requirements. Most APC member colleges are not only institutionally accredited by MSCHE but also hold additional programmatic accreditations regulating their individual programs. All of these accreditations require ongoing reporting and disclosure requirements, site visits, self-studies, and time and investment from faculty and staff. Institutions are required to notify and seek approval from their accreditors if programs change or if certain substantial events occur at their institution, such as moving to a new location, establishment of a branch campus, and change of ownership.

In addition, as with all institutions eligible to participate in federal and State student loan, grant, and scholarship programs, APC member institutions are subject to oversight by the U.S. Department of Education (USDOE) and the New York State Higher Education Service

¹⁵ Program Registration Guidance, NEW YORK STATE EDUCATION DEPARTMENT OFFICE OF COLLEGE AND UNIVERSITY EVALUATION, <http://www.nysed.gov/college-university-evaluation/introduction>.

¹⁶ The New York State Board of Regents is the only government entity recognized by the U.S. Department of Education as an institutional accrediting agency. See Institutional Accrediting Agencies, U.S. DEPARTMENT OF EDUCATION, https://www2.ed.gov/admins/finaid/accred/accreditation_pg6.html.

¹⁷ See Database of Accredited Programs and Institutions, U.S. DEPARTMENT OF EDUCATION, https://www2.ed.gov/admins/finaid/accred/accreditation_pg4.html.

¹⁸ MSCHE accredits over 200 of the 255 colleges and universities in New York State, including each and every SUNY and CUNY college and university. *Id.*

Corporation (HESC). This means all programs must be approved and in good standing in order for students to utilize their student aid at APC member institutions, and, like all colleges and universities in New York, results in additional scrutiny that includes financial and programmatic audits at both the State and federal levels. Both USDOE and HESC have the ability to terminate an institution's eligibility to participate in these critical programs if it fails to maintain compliance with federal and State requirements.

In short, strong oversight of degree-granting proprietary colleges already exists in New York State. APC member institutions are not only held to the same accountability measures and reporting requirements to which all other New York State institutions are held – including SUNY, CUNY, community colleges, and small and large non-profit colleges and universities alike – but are further subject to the stringent accountability metrics and reporting requirements outlined by federal regulators and accrediting bodies such as the Middle States Commission on Higher Education (MSCHE), the Accrediting Commission on Career Schools and Colleges (ACCSC), and other accrediting bodies as appropriate for the programs offered.¹⁹ Being held to the standards required by New York State, federal regulators, and our accrediting bodies ensures students attending our colleges are receiving a high quality, meaningful education and advances transparency of data on measures such as cost of attendance, graduation rates, and student loan default rates. New York State has a longstanding history of treating equally its four sectors of higher education (SUNY, CUNY, independent non-profit, and proprietary), and the State's commitment to parity among all institutions has created a robust higher education system prioritizing quality of education and access for all New Yorkers.

III. Senate Consideration of Additional Oversight

In addition to reviewing the current state of oversight of for-profit education, the Senate Committee on Higher Education has convened this hearing to discuss ways to better inform students, parents, and consumers about for-profit education and whether additional oversight of the sector can provide better outcomes for students. APC member institutions support fair regulations that are evenly applied to all colleges and universities across all sectors and help ensure student success and academic rigor. Additional oversight of one sector alone falls short of New York State's longstanding and well-founded policy of treating all sectors and institutions equally – to do otherwise is a failure to protect all students attending institutions of all kinds and a failure to ensure education quality across the State.

We believe transparency is important. All colleges and universities in New York State, including proprietary ones, are required to disclose a plethora of information to current and prospective students and their families, and to report detailed information to oversight entities, in readily accessible and publicly available sources, as follows:

¹⁹ See Exhibit A: History and Background of APC Member Institutions.

Publicly available information and disclosures made directly to students

- College Scorecard²⁰

College Scorecard is a publicly accessible website launched by the U.S. Department of Education under the Obama Administration. College Scorecard is geared towards students and their families and is intended to provide students with a snapshot of an institution's cost and value. Each degree-granting institution has its own Scorecard, which includes five key pieces of data about the institution: cost, graduation rate, student loan default rate, average amount borrowed, and employment rate. *For an example of how College Scorecard appears to a student, please see Exhibit G.*

- College Navigator²¹

College Navigator is a publicly accessible website operated by the U.S. Department of Education's National Center for Education Statistics (NCES), the primary federal entity for collecting and analyzing data related to education in the U.S. Data pertaining to postsecondary institutions is collected and published through NCES's Integrated Postsecondary Education Data System (IPEDS) for use by students and their families, as well as by institutions, policy analysts, government bodies, educators, professional associations, private businesses, members of the media, and others. IPEDS compiles data from over 7,500 institutions each year, and annual reporting is mandatory for any institution participating in federal Title IV student financial aid programs. IPEDS publishes data pertaining to eight main areas: institutional characteristics, institutional prices, admissions, enrollment, student financial aid, degrees and certificates conferred, student persistence and success, and institutional resources, including academic libraries, human resources, and fiscal resources. *For an example of how College Navigator appears to a student, please see Exhibit H.*

- College Affordability and Transparency Center (CATC)²²

CATC is a publicly accessible "one stop shop" website operated by the U.S. Department of Education's Office of Postsecondary Education. CATC is geared towards students and families and is intended to serve as a central starting point for individuals seeking information about how much it costs to attend college. The website provides additional access points to the College Scorecard and College Navigator, as well as access to colleges' individual net price calculators, and information regarding which institutions have the highest and lowest net prices, which institutions' tuitions are increasing at the highest rates, which proprietary institutions violate the federal 90/10 Rule, and information about state spending and aid for students and institutions.

²⁰ See Exhibit G. See also College Scorecard, U.S. DEPARTMENT OF EDUCATION, <https://collegescorecard.ed.gov/>. Data that would be published on College Scorecard for each of the APC member colleges can be reviewed in Exhibit L.

²¹ See Exhibit H. See also College Navigator, U.S. DEPARTMENT OF EDUCATION, <https://nces.ed.gov/collegenavigator/>.

²² See Exhibit I. See also College Affordability and Transparency Center (CATC), U.S. Department of Education, <https://collegecost.ed.gov/>.

- New York State’s standardized financial aid award letter²³

As a condition of participating in federal Title IV student financial aid programs, institutions are required by the U.S. Department of Education to provide prospective students certain information in their financial aid award letters about the cost of attending college and their options for financing their education. In 2015, the New York State Legislature acted to expand on those federal requirements by amending New York’s finance laws to require institutions to provide students with additional information, including cost of attendance for the current academic year as well as for each year of attendance necessary to earn a degree at the institution, and information regarding additional loan options available to a student from New York State or from the institution.²⁴ The law is implemented by requiring institutions to utilize a uniform template letter to express the mandated information to students, which was jointly developed and overseen the State’s Department of Financial Services and the Higher Education Services Corporation (HESC). *For an example of how the Financial Aid Award Letter appears to a student, please see Exhibit F.*

- New York State Education Department’s “Part 53 Rules”²⁵

New York State Education Department regulations require all colleges and universities to disclose certain information to prospective students, including the cost of attendance, detailed information about numerous federal, State, and local grants, scholarships, and loans that may be available to them, and details regarding each academic program offered. *For a full list of information required to be disclosed to students pursuant to the Part 53 Rules, please see Exhibit J.*

Reports to oversight entities

In addition to disclosing information directly to students and to government entities for publication, all New York State degree-granting colleges are required to report the following information to federal, State, and accrediting oversight entities on an annual basis:

- Federal Title IV audits

Within 180 days of the end of each fiscal year, a college is required to submit its audited financial statement to the U.S. Department of Education. The audited statement is used by the Department to calculate the college’s “composite score.” If the composite score is 1.5 or above, no further action is required. If the score is below 1.5, the college may be required to post a letter of credit payable to the U.S. Secretary of Education and/or the college may be placed on heightened cash monitoring. In addition, within the same period, all colleges are required to submit a financial aid compliance audit. The compliance audit is used to determine whether or not the Title IV programs are being administered according to federal regulations. In the event negative findings are made during an audit,

²³ See Exhibit F. See also New York State Banking Law § 9-w and New York Financial Aid Award Information Sheet Template, NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES, https://www.dfs.ny.gov/docs/consumer/shopping_sheet/shopping_sheet_default.pdf, which is required by New York State Banking Law § 9-w to be provided to prospective students when responding to applications for admission.

²⁴ L.2015, ch.56, Part F, § 1.

²⁵ 8 NYCRR 53.3.

the college will be required to implement a corrective action plan. If the findings are recurring, the college may be required to post a letter of credit payable to the Secretary and/or be placed on heightened cash management.

- New York State Education Department institutional auditing requirements²⁶

Within 120 days of the end of the fiscal year, a college is required to submit its annual audit to the New York State Education Department's Office of College and University Evaluation, which has a team of financial experts examine each audit to determine whether or not the institution continues to be viable. If the institution is judged to be at risk, the Department may require that the college enter into a teach-out agreement.

- State Comptroller Tuition Assistance Program (TAP) audits

Similarly, colleges that participate in New York State's Tuition Assistance Program (TAP) are audited periodically by the Office of the State Comptroller. These audits generally require the auditors to be on-site at the college for a period of months. If problems are found, the college will be required to refund TAP funding with interest and audit findings are published on the Comptroller's website.

- Accrediting agency reporting requirements²⁷

The Middle States Commission of Higher Education (MSCHE) requires its accredited institutions to submit audited financial statements on an annual basis. MSCHE then constructs an institutional score ratio which reflects the results of the audited financial statement as well as information regarding enrollment, retention, and graduation, ensuring that that unhealthy trends in enrollment and financial performance are noted, analyzed, and addressed by corrective action as appropriate, even in the interim periods between on-site campus accreditation visits.

In addition to the disclosures and reports already described, proprietary institutions are required to make further disclosures to students, as follows:

- Gainful Employment²⁸

Federal regulations require proprietary institutions to disclose additional information to both prospective and currently enrolled students regarding each academic program offered using a uniform template prescribed by the U.S. Department of Education. The information disclosed to students includes the program's classification and credential level, the primary occupations for which the program prepares students, costs of completing the program within given durations, the level of loan debt incurred by other students in an academic program, and other information.

²⁶ See New York State Higher Education Data Systems (HEDS) Instruction Manual 2018-19, NEW YORK STATE EDUCATION DEPARTMENT, Sept. 21, 2018, <http://www.highered.nysed.gov/oris/Manuals%20and%20Procedures/2018-19%20HEDSManual%20-19-18.pdf>, at 12.

²⁷ See Exhibit E.

²⁸ See 34 CFR § 668.41.

While we feel that current disclosure requirements already provide students with a significant amount of important information relevant to selecting an institution, and wonder whether more disclosures will help or only confuse students, **APC member institutions would happily support additional oversight or disclosure measures that are applicable to all sectors of higher education in New York aimed at resolving an identifiable problem.**

For a full array of information required to be disclosed and reported pursuant to these laws and regulations, please see Exhibits E, F, G, H, I, J, K, L, and M.

IV. In Conclusion

Thank you for the opportunity to provide testimony today and for your continued support of APC member institutions.

New York can continue to have strong oversight and regulations for all institutions of higher education. These regulations can be enforced, and steps can be taken to prevent students from being harmed. Strong oversight of degree-granting proprietary colleges already exists and maintaining the State's current structure and policy of treating all colleges and universities the same has successfully prevented many of the abuses that have occurred nationally.

Last, when considering any new regulation or requirement for disclosure, we hope you will clearly articulate the problem and how the considered regulation or disclosure will solve the problem or benefit students. APC member colleges support regulations, but we believe the current structure in New York is a good one that should be replicated in other states. Additional regulations or oversight are not always necessary, and APC is willing and able to assist the Legislature in determining whether additional steps can be taken in New York State to help students, improve transparency, and lower student debt.

We have consistently worked hard and will continue to do so at the federal and State level to ensure students are protected, college remains affordable, and that rules and regulations benefit students or improve education quality. If we can serve as a resource to you in any way, please feel free to reach out to me or any of the APC member institutions directly.

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Exhibit A:

History and Background of the APC Member Institutions

History and Background of APC Member Institutions:

The Association of Proprietary Colleges (APC) represents 12 fully accredited, degree granting colleges operating on 23 college campuses in New York State offering associate, bachelor's, master's and doctoral level programs. Our colleges are located across the state from Buffalo to Long Island, Jamestown to Rochester, Syracuse, Albany and the NYC metropolitan area.

Institution	Founded	Governance	Accreditation	Location
Berkeley College	1931	The Luing Family (second generation)	<ul style="list-style-type: none"> Middle States Commission on Higher Education 	Manhattan, Brooklyn
Bryant & Stratton College	1854	Bryant and Stratton Families (fifth generation)	<ul style="list-style-type: none"> Middle States Commission on Higher Education 	Albany, Syracuse, Rochester, Buffalo
College of Westchester	1915	The Sutkowski Family (second generation)	<ul style="list-style-type: none"> Middle States Commission on Higher Education 	White Plains
Elmira Business Institute	1858	The Phillips Family	<ul style="list-style-type: none"> Accrediting Bureau of Health Education Schools 	Vestal
Five Towns College	1972	The Cohen Family (second generation)	<ul style="list-style-type: none"> Middle States Commission on Higher Education 	Dix Hills
Island Drafting and Technical Institute	1957	The Di Liberto Family (second generation)	<ul style="list-style-type: none"> Accrediting Commission of Career Schools and Colleges 	Amityville
Jamestown Business College	1886	The Conklin Family	<ul style="list-style-type: none"> Middle States Commission on Higher Education 	Jamestown
LIM College	1939	The Marcuse Family (third generation)	<ul style="list-style-type: none"> Middle States Commission on Higher Education 	Manhattan
Monroe College	1933	The Jerome Family (third generation)	<ul style="list-style-type: none"> Middle States Commission on Higher Education Accreditation Commission for Education in Nursing 	Bronx
Plaza College	1916	The Callahan Family (fourth generation)	<ul style="list-style-type: none"> Middle States Commission on Higher Education American Dental Association Commission on Dental Accreditation 	Queens
Swedish Institute	1916	Quad Partners (since 2008)	<ul style="list-style-type: none"> Accrediting Commission of Career Schools and Colleges Accreditation Commission for Education in Nursing 	Manhattan
School of Visual Arts	1947	The Rhodes Family (second generation)	<ul style="list-style-type: none"> Middle States Commission on Higher Education National Association of Schools of Art and Design 	Manhattan

APC member colleges are New York focused, educating local students for lifelong careers that are in demand in New York. Ninety percent of students attending APC member colleges are from New York and more than 90 percent of those students stay in New York after graduation to live and work. Our colleges educate over 26,000 students and employ more than 6,000 people making them strong economic drivers in their local communities.

Consider the additional points of pride for these twelve institutions:

Berkeley College

A leader in providing career-focused education since 1931, Berkeley College is institutionally accredited by the Middle States Commission on Higher Education and offers baccalaureate and associate degree programs, certificate programs, and non-degree professional courses at campuses in New York and New Jersey, as well as through Berkeley College Online®. Students can choose from more than 20 fields of study, including programs in accounting, financial services, international business, legal studies, and other fields that prepare students for success in the professional world. For six consecutive years, U.S. NEWS & WORLD REPORT has recognized Berkeley College as one of the Best Colleges for Online Bachelor's Degrees. In addition, a recent study by the Equality of Opportunity Project spearheaded by Harvard economist Raj Chetty concluded that Berkeley College is among the top colleges in the United States for overall student income mobility, ranking 9th out of 158 colleges in New York State for likelihood that a student's income will rise by two or more income quintiles after attending.¹

Berkeley College has a longstanding commitment to the welfare and success of students who are active duty service members and veterans, as well as their families. Berkeley College supports the Post-9/11 G.I. Bill and is a participating institution in the federal Yellow Ribbon program, under which institutions of higher education voluntarily contribute additional funds towards covering the cost of student veterans' educations. Berkeley College also has partnered with the U.S. Department of Defense for all Military Tuition Assistance (MTA) programs and operates Veterans Resource Centers at six campuses and online, which aim to help student veterans acclimate to college life, connect with other student veterans, access specialized tutoring services, and achieve success in their academic and career pursuits. Berkeley College adheres to the terms of President Obama's Executive Order 13607, establishing principles of excellence for colleges serving service members and veterans, and supports the "8 Keys to Success" developed by the U.S. Department of Education and Department of Veterans Affairs to assist institutions in transitioning veterans and service members into classroom settings and ensure they receive the best possible educational experience.

Bryant & Stratton College

Founded in 1854 in Buffalo, New York, Bryant & Stratton College has built its reputation and success on a commitment to excellence and high standards of higher education. Bryant & Stratton College has been regionally accredited by the Middle States Commission on Higher Education (3624 Market Street, Philadelphia, PA 19104, (267) 284-5000) since 2002. Bryant & Stratton College has eighteen campus locations in Buffalo, Rochester, Syracuse and Albany, New York; Cleveland, Ohio; Richmond and Hampton Roads, Virginia; Milwaukee, Wisconsin; an extension center in Malta, New York; as well as an Online Education division and Continuing Education departments. The typical Bryant & Stratton College student is an African American (41%) or Caucasian (41%) woman (81%) who is in her twenties (47%) or early thirties (15%) and who is a non-traditional (86%) student pursuing her associate's degree (72%) in either medical assisting, medical reimbursement and coding, business, general management, medical administrative assisting or nursing (outside New York State). Over 70% of students attending Bryant & Stratton College have previously attempted higher education elsewhere.

For over 165 years, Bryant & Stratton College has offered students access to career-relevant education and training leading to bachelor's degrees, associate degrees, diplomas and professional certificates in the fields of nursing, allied health, occupational therapy assistant, physical therapist assistant, business, criminal justice, design, financial services, hospitality, human resources, paralegal studies and information technology. The

¹ See Economic Diversity and Student Outcomes at Berkeley College, THE NEW YORK TIMES, Jan. 18, 2017, <https://www.nytimes.com/interactive/projects/college-mobility/berkeley-college-nv>.

College educates approximately 10,000 students with approximately 2,500 building-based students in the State of New York. Bryant & Stratton College is proud of the graduating 3,000 students annually, including 1,000 graduates in New York State. According to the U.S. Bureau of Labor Statistics, seven of the top ten fastest-growing occupations require an associate's degree or less, including rewarding careers such as a medical assistant, physical therapy assistant, occupational therapy assistant, medical reimbursement and coding assistant, business manager, accountant, paralegal, information technologist, and electrician. There are over 57 public and private colleges and universities in Upstate New York, all focused on professions requiring baccalaureate-level degrees or advanced credentials. While students in these communities, including Buffalo, Rochester, Syracuse, and Albany, have ample choices for academic programs that will prepare them to become teachers, pharmacists, lawyers, engineers, physical therapists, and doctors, there is very little choice for students who wish to enter critical occupations requiring an associate's degree or less other than the community college or Bryant & Stratton College.

The College of Westchester

The College of Westchester (CW) has been educating students in the tristate area for over 100 years. Located in White Plains, CW is an associate and bachelor degree-granting, private college offering programs in business marketing and management, accounting, medical assisting, medical office and coding, digital marketing and information technology. Certificate programs are offered for adult students who may want to brush up on skills or advance their knowledge in a short amount of time. Flexibility is key at CW – coursework is offered during the day, online, as well as evenings and some classes are even offered on Saturdays.

Our small class sizes mean high-touch, hands-on and experiential learning by dedicated instructors with advanced degrees. CW staff believe student services are of paramount importance for the CW student experience. CW offers a community of academic advisors, success coaches, tutors, career counselors and the concierge desk in the student services center; these services are available to students across all areas of the college including those participating in online instruction. All CW curriculum is designed specifically to prepare students to meet the needs of regional employers. At CW, Department Chairpersons work with the CW Advisory Council comprised of local business, technology, allied health, and education professionals who provide meaningful input that shapes CW's career-focused programs of study. Affordability is at the forefront of CW's concern for students as well, which includes a wide variety of assistance programs to take advantage of including government grants, loans, CW Scholarships and grants, to name a few. We pride ourselves on our powerful and affordable private education. One hundred percent of freshmen receive some form of financial assistance.

Elmira Business Institute

EBI Career College offers personalized career education and experience leading to high demand professions so graduates are prepared for their career, life pursuits, and an ever-changing global economy. Founded in 1858 as Elmira Business and Shorthand College, EBI Career College is dedicated to helping people and the community. This trade school was a leader in postsecondary education and has now evolved into EBI Career College, investing in a new building, equipped with the latest facilities and lab equipment to supplement to classroom learning. At EBI we are dedicated to the community and believe everyone benefits immensely when qualified professionals are available to organizations in the community, to contribute and become industry and community leaders.

Five Towns College

Inspired by the love of music and business acumen of the founders, Stanley Cohen and Lorraine Kleinman Cohen, Five Towns College was truly created by the driving passion of music educators and its legacy lives on.

Founded in 1972, Five Towns College is a private, coeducational, non-sectarian institution of higher education accredited by the Middle States Commission on Higher Education, approved and recognized by the New York State Education Department and authorized to confer bachelor, master and doctoral degrees. The New York area college offers an energizing experience that embraces creativity and passion for the arts and music.

Five Towns College is a creative learning community that develops in students the knowledge, skills, and competencies necessary to pursue careers in the performing arts, media and communications, business and industry, and the teaching professions. Through programs that combine general education and content specialty areas, the undergraduate and graduate curricula integrate rigorous academic inquiry, industry standard technologies and facilities, experiential learning, and respect for diversity and ethical values. In so doing, the College helps each student to expand their unique talents to the fullest, while also preparing graduates to contribute to the advancement of society.

Island Drafting and Technical Institute

Island Drafting and Technical Institute (IDTI) was founded in 1957, and is staffed by faculty members who have had professional and practical experience in the engineering, architectural, CADD (Computer Aided Drafting/Design) and computer and electronics fields. The Institute is accredited by the Accrediting Commission of Career Schools and Colleges, and is authorized to confer two-year associate degrees by the New York State Board of Regents.

The Institute's aim is to graduate students who are well trained and technically qualified so that they may enter their chosen field or continue their education at the baccalaureate or higher level. Island Drafting and Technical Institute has over 50 years of leadership and experience in preparing Long Islanders for careers. By staying abreast of the latest developments in the industry, the Institute continues to provide the personal attention students need to succeed.

IDTI began life as the brainchild of Joseph P. Di Liberto, a senior design engineer at Republic Aviation in Farmingdale. Working at Republic by day and teaching by night, he started the school, then known as Aircraft Trade School, with just eight students. "Mr. D," as he was known, handled the admissions, administration, and teaching all himself, with help from his wife, Gloria.

After several years, Di Liberto moved the school from its original home in Amityville, N.Y., to the location it has called home ever since — 128 Broadway in the Village of Amityville. In June 1959, the school incorporated and its name was changed to Island Drafting School. In March 1973, the name of the school was changed to its current form — Island Drafting and Technical Institute.

In February 1997, the school was authorized by the New York State Board of Regents to confer the Associate in Occupational Studies degree. Under this authorization, the Institute is approved to offer degree programs in computer aided drafting and design/mechanical and computer aided drafting and design/ architectural. In December 1997, the Institute was approved to offer degree programs in electronic and computer service technology.

Jamestown Business College

Jamestown Business College (JBC) has been providing our workforce community with qualified graduates since 1886. The original charter called for the "establishment of a school designed to qualify young men and women for office requirements at low cost to those whose inclinations and ambitions lead them to business pursuits."

The college's mission remains fundamentally the same today. JBC offers both Associate and Bachelor degrees in Business and is accredited by the Middle States Commission on Higher Education. The college achieves its mission by its commitment to access, affordability, and investment in student professional development. JBC has a proud history of being student centered and outcome driven and is committed to providing students with a quality education and professional training to be successful in the business environment. JBC invests in student success and spends less than 3 percent of its operating budget on direct advertising.

Jamestown Business College recognizes that for many people there are many socio-economic and cultural challenges that make attending college nearly impossible. The college provides these students with the College Access Award and Bilingual Advancement Award programs that cover both tuition and fees. To further assist these students, the college provides them with textbooks. For students who did not start strong in high school, but improved over time JBC also provides opportunity. These students are recommended by their high school counselor for the college's Academic Progress Award, which covers a student's tuition.

The college strives to position graduates for future success by eliminating or limiting their need for student loans. The college is proud that for Academic Year 2017-2018, only 4 percent of first-time, full-time students took out student loans and for the fall of 2018, that percentage dropped to only 2 percent. Overall, only 10.4 percent of the current student body need to take out student loans to attend JBC. With our strong graduation rate and our professional development program, with "soft skills" training since 2002, students enter their careers with great opportunity.

LIM College

LIM College was founded in 1939 as the Laboratory Institute of Merchandising by Maxwell F. Marcuse, a retail executive and active proponent of higher education in NYC, who had the vision of establishing a program to train women for careers in retail management with a practical hands-on curriculum. In 2019, the College is proud to be celebrating its 80th anniversary of serving students and helping young women launch careers in some of the world's most exciting industries. The College has come a long way since its establishment, but remains true to its founding ideals: Since 2002, LIM College has been led by President Elizabeth S. Marcuse, the third-generation member of the College's founding family. Today, LIM College's academic programs are focused on the global business of fashion and its many related industries, and students can earn master's, bachelor's, and associate degrees in a variety of fashion- and business-focused areas. In 1977, LIM College became the first proprietary college to receive regional accreditation from the Middle States Commission on Higher Education (MSCHE).

Located in the heart of New York City — the nation's fashion and business capital — LIM College provides students with innumerable opportunities for firsthand experience and professional development. The College is widely recognized as a pioneer in experiential education known for fostering a unique connection between real-world experience and academic study in business principles. The College has exceptionally strong ties to the fashion industry and works closely with our Fashion Industry Advisory Board members to continually fine tune and adapt our academic programs to meet the needs of employers and to deliver sought-after talent – making LIM College a strong economic driver and workforce pipeline for one of New York's most important industries. LIM College educates approximately 1,800 students annually and has over 10,000 alumni, most of whom work and live in New York, with many excelling in careers at top companies in their industries. LIM College's unique educational focus and required internship experiences built into the curricula results in high demand for its graduates: Over 90% of graduating students are employed in the fashion industry or related industries within six to nine months of completing their program of study.

For the 14th consecutive year, THE PRINCETON REVIEW has honored LIM College among those institutions that

are “Best in the Northeast”² and, in 2017, THE BUSINESS OF FASHION’s Global Fashion School Rankings placed LIM College as one of the Top 10 institutions in the world for graduate business education in fashion.³ In 2015, the Brookings Institution recognized LIM College amongst the Top 10% of four-year “value-added” colleges nationally.⁴

Monroe College

Founded in 1933, Monroe College is a recognized leader in urban and international education. Among Monroe College’s core values is a commitment to students and their accomplishments, which is exemplified by the College’s initiatives to increase college access, affordability, and completion outcomes, especially among first-generation students. Monroe College educates close to 8,000 students each year, offering certificate, associate, bachelor’s, and master’s degree programs. The College’s innovative Presidential Partnership Program enables 1,000 students from the Bronx, New Rochelle, Yonkers and surrounding communities – including 80 students without lawful immigration status – to attend Monroe College and receive their degree at no cost. This program has resulted in approximately 90% of participating students attending Monroe College with zero student loan debt. The few participating students who do incur student debt have done so for housing costs or other non-academic costs. The first cohort of scholarship students completed their program with a 75% completion rate. Monroe College’s student outcomes are a particular point of pride for the institution: A student attending Monroe is 10 times more likely to graduate on-time than a student attending a local community college,⁵ and the College’s official three-year cohort default rate is 3.9%, which is among the lowest in New York State.⁶ Monroe College credits its excellent student outcomes to its investment in student instruction, academic supports, and student services. In fact, the College spends less than 3% of its operating budget on marketing and advertising, dedicating the vast majority of its resources to academics and student support programs and services.

Plaza College

Plaza College has made a profound impact in the educational landscape of the Borough of Queens and its surrounding communities. Founded in 1916 by two New York City teachers, the institution has transformed in size, scope, and breadth to become a comprehensive college offering educational opportunities to a diverse population. Through four generations of family leadership, Plaza College has expanded its academic offerings, improved its outcomes, and enlarged its educational mission – all while remaining true to its founders’ shared vision of providing a caring yet vibrant learning environment that challenges and maximizes each student’s potential in order to realize their hopes and dreams for a better life through educational advancement. Plaza College prides itself on its career-focused approach to education featuring academic programs designed to meet the needs of students entering the workforce and employers seeking qualified professionals. Rooted in a tradition of excellence, Plaza College educates its students to compete and succeed in professional areas including allied health, business administration, dental hygiene, court reporting, and paralegal studies.

² LIM College, THE PRINCETON REVIEW, <https://www.princetonreview.com/college/lim-college-1023731>.

³ Global Fashion School Rankings 2017: Graduate, Business, BUSINESS OF FASHION, <https://www.businessoffashion.com/education/rankings/2017/business>.

⁴ Jonathan Rothwell, *Using Earnings Data to Rank Colleges: A Value-Added Approach Updated with College Scorecard Data*, THE BROOKINGS INSTITUTION, Oct. 29, 2015, <https://www.brookings.edu/research/using-earnings-data-to-rank-colleges-a-value-added-approach-updated-with-college-scorecard-data/>.

⁵ Data published by the New York State Education Department reflects that the on-time graduation rate for students in associate degree programs at Bronx Community College is 2.8%, compared to 50.1% at Monroe College. *See* Graduation Rates, NEW YORK STATE EDUCATION DEPARTMENT, <http://www.highered.nysed.gov/oris/gradrates/>. Monroe College’s on-time graduation rate for students in bachelor’s degree programs is an even more impressive 64.8%. *See id.*

⁶ The national average three-year cohort default rate is 10.5%. *Official Cohort Default Rates for Schools*, U.S. EDUCATION DEPARTMENT, Oct. 17, 2018, <https://www2.ed.gov/offices/OSFAP/defaultmanagement/cdr.html>. The New York State average three-year cohort default rate is 8.5%. *FY 2015 Official Cohort Default Rates by State/Territory*, U.S. EDUCATION DEPARTMENT, Aug. 18, 2018, <https://www2.ed.gov/offices/OSFAP/defaultmanagement/staterates.pdf>.

The School of Visual Arts

The School of Visual Arts (SVA) was founded in 1947 as the Cartoonist and Illustrators School (C&I). Originally a single purpose trade school with 35 students and 3 faculty members, in 1956, the School's name was changed from C&I to SVA and the curriculum was diversified: Fields of study in advertising, design, film, fine arts, and photography were added and, by 1965, SVA had established full four-year certificate programs in design and fine arts. In 1972, SVA was granted authorization by the New York State Board of Regents to confer the Bachelor of Fine Arts (B.F.A.) degree on graduates of approved programs, becoming the first proprietary college to be authorized to confer degrees at the baccalaureate level in New York State. In 1983, SVA was authorized by the Regents to confer the Master of Fine Arts (M.F.A.) degree upon graduates of approved graduate-level programs.

SVA has been accredited by the Middle States Commission on Higher Education since 1978 and by the National Association of Colleges of Art and Design since 1980. Today, the School of Visual Arts offers 11 undergraduate programs and 22 graduate programs, with its enrollment increasing from an inaugural class of 35 students to a student body of 4,390 students and its faculty growing from just 3 to over 1,092 respected artists, scholars, and professionals. SVA students come from across the nation and around the globe, representing 46 states, 2 territories and 53 foreign countries.

The Swedish Institute

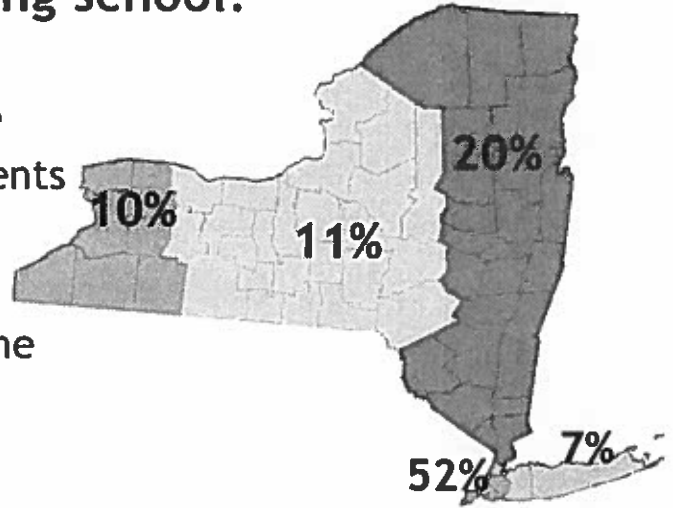
The Swedish Institute was founded in 1916 as the Swedish Institute of Physiotherapy and has the distinct honor of being the oldest continuously-operating massage therapy institution in the country. The Institute's founder, Theodore Melander, had a vision of massage therapy as one aspect of a holistic approach to wellness and, with that in mind, he developed a unique curriculum incorporating medical gymnastics, dietetics, exercise techniques, and physiotherapy. Graduates of the Institute's early academic program received a diploma in physiotherapy and practiced in hospitals, clinics, and private practice as physiotherapists.

In 1954, the Institute focused the curriculum exclusively on massage therapy, which was increasingly becoming a recognized profession. At that time, the professional title "massage therapist" was unheard of; graduates were known as masseuses and masseurs, and were required by the City of New York seek licensure to practice. As time passed, massage therapy became a recognized profession, and licensure and curricular requirements were incorporated into the oversight of the New York State Education Department. In 1998, the Institute was granted authorization to issue the Associate in Occupational Studies (A.O.S.) degree to graduates of its massage therapy program and, in 2008, expanded its degree program offerings to include nursing, surgical technologist, and other allied health programs. In 2003, the Swedish Institute received approval from the New York State Board of Regents to award the Bachelor of Professional Studies (B.P.S.) and Master of Science (M.S.) degrees. Since 2008, the Swedish Institute has worked to expand research opportunities for faculty and students, establishing new affiliations with Montefiore Hospital and collaborating on clinical studies regarding acupuncture and pain management with Albert Einstein College of Medicine and Beth Israel Medical Center.⁷

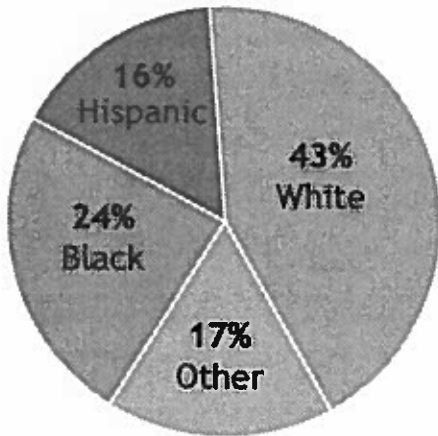
⁷ See M. Diane McKee et al., *The ADDOPT Study (Acupuncture to Decrease Disparities in Pain Treatment): Feasibility of Offering Acupuncture in the Community Health Center Setting*, JOURNAL OF ALTERNATIVE AND COMPLEMENTARY MEDICINE, Sept. 2012, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3429271/>.

Where are APC students attending school?

There are more than 26,000 students enrolled in APC member colleges that are located throughout New York State. Students are enrolled at campuses in Western NY, the Finger Lakes, the Southern Tier, the greater Capital Region, Long Island and the New York City metropolitan area.



Who are APC students?



69%
of APC students
are women

75%
of APC students
received a Pell
award in 2017

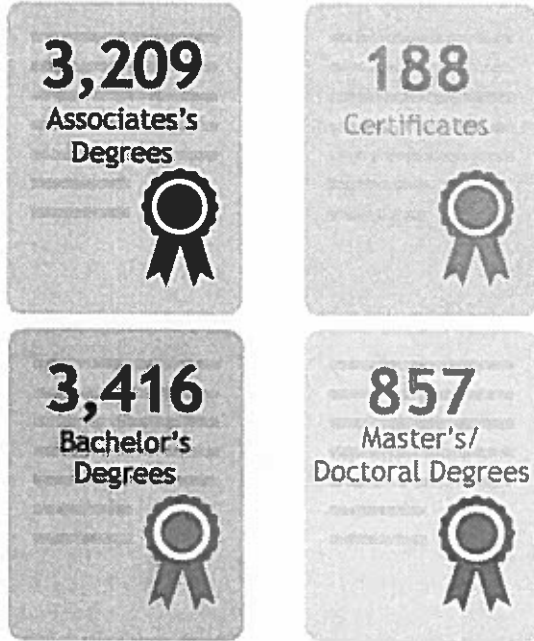
APC member colleges
educate more than



veterans living in
communities across
New York State.

9 out of 10 APC graduates stay in New York to live and work.

APC member colleges conferred 7,670 certificate, associate, bachelor, master and doctorate degrees in 2017.



Source: IPEDS, U.S. Department of Education, 2016-2017 Academic Year

APC college graduates enter the workforce with loan debt that is 28% lower than the state-wide average.

Average for APC member college graduates:



Statewide average for college graduates:



Source: US Department of Education, College Scorecard

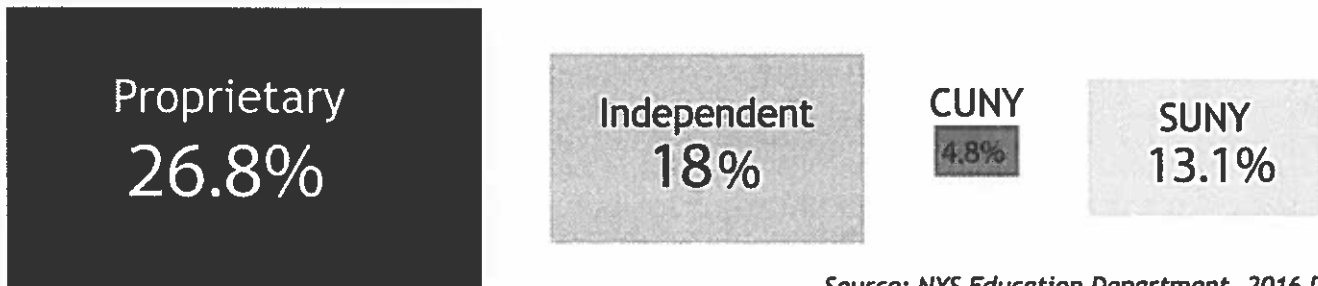
Did You Know? Each year, APC member colleges provide credits to local high school students through jump start or middle school programs.

College Affordability

Maintaining affordability is a priority. In the 2017-18 academic year, average tuition at APC member colleges increased less than 2% and member colleges provided students more than \$95 million in institutional aid.



On-Time Associate Degree Graduation Rates in New York



Source: NYS Education Department, 2016 Data

Exhibit B:

Criteria for Mandatory Regents Program Authorization ("Part 52 Rules")

Criteria for Mandatory Regents Program Authorization (“Part 52”)

One of the most important roles of the Board of Regents is its review & approval of all academic programs offered by degree-granting institutions of higher education. This process, more commonly referred to as “program registration,” is the State Education Department’s “chief means to ensure that colleges, universities, and professional schools maintain quality standards.”¹

NYS Board of Regents: Mandatory Program Registration²	
Purpose	To ensure each academic program offered by a degree-granting institution, as well as all significant aspects of an institution’s educational enterprise as it relates to such academic program, meets certain standards of quality, and to ensure institutional program offerings are consistent with the Regents Statewide Plan for the Development of Postsecondary Education
Who is required to do it?	All degree-granting institutions of higher education in New York State
Criteria Institutions and Programs Must Meet	
Administration	<p align="center"><i>Responsibilities</i></p> <p>Responsibility for the administration of institutional policies and programs must be clearly established.</p> <ul style="list-style-type: none"> • Within the authority of its governing board, the institution must provide that overall educational policy and its implementations are the responsibility of the institution’s faculty and academic officers. Other appropriate segments of the institutional community may share in this responsibility in accordance with the norms developed by each institution. • Instructors must make explicit at the beginning of each term the academic policies applicable to each course, including learning objectives and methods of assessing student achievement. • The institution must provide academic advice to students through faculty or appropriately qualified persons. • The institution must ensure students are informed at stated intervals of their progress and remaining obligations for completion. • The institution must maintain for each student a permanent, complete, accurate, and up-to-date transcript of student achievement at the institution. This document will be the official cumulative record of the student’s

¹ Program Registration Guidance, NEW YORK STATE EDUCATION DEPARTMENT OFFICE OF COLLEGE AND UNIVERSITY EVALUATION, <http://www.nysed.gov/college-university-evaluation/introduction>.

² See 8 NYCRR 52 [Registration of Curricula].

cumulative achievement at the institution. Copies must be made available at the student's request (in accordance with the institution's policies) or to agencies or individuals authorized by law to review such records.

Published policies

The institution must establish, publish, and enforce explicit policies regarding:

- Academic freedom
- The rights and privileges of full-time and part-time faculty and other staff members, working conditions, opportunities for professional development, workload, appointment and reappointment, affirmative action, evaluation of teaching and research, termination of appointment, redress of grievances, and faculty responsibility to the institution
- Requirements for admission of students to the institution and to specific curricula, requirements for residence, graduation, awarding of credit, degrees or other credentials, grading, standards of progress, payment of fees of any nature, refunds, withdrawals, standards of conduct, disciplinary measures, and redress of grievances.

Resources

Facilities, equipment, and supplies

- The institution must provide classrooms, faculty offices, auditoria, laboratories, libraries, audiovisual and computer facilities, clinical facilities, studios, practice rooms, and other instructional resources sufficient in number, design, condition, and accessibility to support the curricular objectives dependent on their use.
- The institution must provide equipment sufficient in quantity and quality to support instruction, research, and student performance.

Library and information resources

- The institution must provide libraries that possess and maintain collections sufficient in depth and breadth to support the mission of the institution and each curriculum.
- Libraries must be administered by professionally trained staff supported by sufficient personnel. Library services and resources must be available for student and faculty use with sufficient regularity and at appropriate hours to support the institution's mission and curricula.

Fiscal capacity

- The institution must possess the financial resources necessary to accomplish its mission and the purposes of each curriculum.

<p>Faculty</p>	<p style="text-align: center;"><u>Competence & credentials</u></p> <ul style="list-style-type: none"> • All members of faculty must have demonstrated their competence to offer the courses and discharge the other responsibilities assigned to them by training, earned degrees, scholarship, experience, and classroom performance or other evidence of teaching potential. • For each curriculum leading to a bachelor's degree, at least one faculty member must hold an earned doctorate in an appropriate field, unless the Commissioner determines that the curriculum is in a field of study for which other standards are appropriate. • For each curriculum leading to a graduate degree, all faculty members must hold earned doctorates or other terminal degrees in the field in which they teach or must have demonstrated in other widely recognized ways their special competence in the field in which they direct graduate students. <p style="text-align: center;"><u>Adequacy to support programs & services</u></p> <ul style="list-style-type: none"> • In order to foster and maintain stability and continuity in academic programs and policies, the institution must have a sufficient number of faculty members who serve full-time. • For each curriculum, the institution must designate a body of faculty who (along with the institution's academic officers) are responsible for setting curricular objectives, determining the means by which achievement of objectives is measured, evaluating the achievement of curricular objectives, and providing academic advice to students. Faculty must be sufficient in number to ensure breadth and depth of instruction and the proper discharge of all other faculty responsibilities. The ratio of faculty to students must be sufficient to ensure effective instruction. <p style="text-align: center;"><u>Evaluation & professional responsibilities</u></p> <ul style="list-style-type: none"> • The institution must periodically evaluate the teaching and research of each faculty member in accordance with their responsibilities. The teaching of an inexperienced faculty member must receive special supervision during the initial period of appointment. In addition to performing assigned teaching and administrative duties, each faculty member must be allowed adequate time to broaden professional knowledge, prepare course materials, advise students, direct independent study and research, supervise teaching, participate in institutional governance, and carry out other academic responsibilities appropriate to his/her position in accordance with their responsibilities.
<p>Programs of study / curricula & awards</p>	<p style="text-align: center;"><u>Integrity of credit</u></p> <ul style="list-style-type: none"> • Each course offered for credit by the institution must be part of a general education requirement, a major requirement, or an elective in a program of study leading to a degree or certificate.

- Credit towards an undergraduate degree must be earned only for college-level work. Credit towards a graduate degree must be earned only through work designed expressly for graduate students. The institution must strictly control the enrollment of secondary school students in undergrad courses, of undergrads in graduate courses, and of graduate students in undergrad courses.
- The institution must ensure that credit is granted only to students who have achieved the stated objectives of each credit-bearing learning activity.
- A semester hour of credit may be granted by an institution for fewer hours of instruction and study than as specified by Part 50.1(o) only where...
 - Approved by the Commissioner as part of a registered curriculum
 - The Commissioner has granted prior approval for the institution to maintain, and the institution has adopted, a statement of academic standards defining the considerations establishing equivalency of instruction and study
 - In the event of a temporary closure of an institution due to a disaster, the Commissioner has granted approval for the institution to maintain, and the institution has adopted, a statement of academic standards defining the considerations establishing equivalency of instruction and study

Program goals and objectives

- The objectives of each curriculum and its courses must be well-defined in writing.
 - Course descriptions must clearly state the subject matter and requirements of each course.
- Program length, credit, and other requirements
- For each curriculum, the institution must ensure that courses will be offered with sufficient frequency to enable students to complete the program within the minimum time for completion, as follows:
 - Associate degree programs must be normally capable of completion in 2 academic years of full-time study (or its equivalent in part-time study) with at least 60 accumulated semester hours.
 - Bachelor's degree programs must be normally capable of completion in 4 academic years (or 5, in the case of 5-year programs) of full-time study (or its equivalent in part-time study) with at least 120 accumulated semester hours.
 - Master's degree programs must normally require a minimum of 1 academic year of full-time graduate-level study (or its equivalent in part-time study) with at least 30 accumulated semester hours. Research or a comparable occupational or professional experience must be a component of each master's degree program. The requirements for a master's degree must normally include at least one of the following: passing a

	<p>comprehensive test, writing a thesis based on independent research, or completing an appropriate special project.</p> <ul style="list-style-type: none"> o Master of philosophy (M.Phil.) degree programs must require completion of all requirements for doctor of philosophy (Ph.D.) degree programs except for the dissertation, and must require that the student has been admitted to candidacy in a Ph.D. curriculum offered by the institution. o Doctoral programs must require a minimum of 3 years of full-time graduate-level study after the bachelor's degree (or its equivalent in part-time study). Doctoral studies must include the production of a substantial report on original research, the independent investigation of a topic of significance to the field of study, the production of an appropriate creative work, or the verified development of advanced professional skills. • For programs intended to fulfill the educational requirements for licensure as a teacher, school administrator or supervisor, school district administrator, or pupil personnel services professional, all curricula must include 2 hours of approved coursework or training regarding identification and reporting of child abuse and maltreatment. Such coursework or training must include information concerning physical and behavioral indicators, when and how a report must be made, other actions reporters are mandated or authorized to take, legal protections for reporters, and consequences for failing to report. <p>For programs intended to fulfill part of the requirements for licensure in a profession regulated by the State Education Department, see 8 NYCRR Part 52.3 et seq. for 43 sets of additional criteria to be met by academic programs determined to be appropriate to such professions and their fields of study.³</p>
Support services	<ul style="list-style-type: none"> • Whenever and wherever the institution offers courses as part of a curriculum, the institution must provide adequate academic support services.
Admissions	<ul style="list-style-type: none"> • The admission of students must be determined through an orderly process using uniformly applied published criteria. • Admissions must take into account the capacity of a student to undertake a course of study and the capacity of the institution to provide the instructional and other support the student needs to complete the program.
Consumer information / information for prospective &	<p>The institution must provide the following information in all its catalogs:</p> <ul style="list-style-type: none"> • Information regarding financial assistance available to students (including federal, State, and local institutional sources) • Costs of attending the institution with respect to each of the following cost categories: <ul style="list-style-type: none"> o Tuition and fees

³ These licensed professions include a variety of occupations, such as medicine, nursing, midwifery, pharmacy, dentistry, social work, mental health counseling, psychology, psychoanalysis, physical therapy, optometry, podiatry, acupuncture, nutrition & dietetics, audiology, veterinary medicine, dental hygiene, accountancy, geology, law, massage therapy, athletic training, and interior design, among others.

<p>current students</p>	<ul style="list-style-type: none"> o Books and supplies o Room and board o Other living expenses • The institution's policy concerning refunds due to failure of students to complete an academic term for any reason, including the percentage or amount of tuition, fees, institution-operated room and board, and other assessments to be refunded after specified elapsed periods of time • Accurate descriptions of the institution's instructional programs, including the following: <ul style="list-style-type: none"> o A list of degree, certificate, and diploma programs registered with SED o A description of each academic program's program objectives, prerequisites, and requirements for completion o A general description of instructional, laboratory, and other facilities directly related to each academic program o A list of regular resident faculty by rank and the department or major program area to which each faculty member is assigned, as well as an estimate of adjunct faculty and teaching assistance in each department or major program area o Information regarding student retention rates and graduation rates for at least full-time graduates o Summaries of job placement and graduate school placement statistics compiled by the institution, where available • The academic year in which each instructional offering (course) is expected to be taught
<p>Consequences for non-compliance</p>	<p>Institutions that fail to maintain compliance with the standards described herein will be denied registration or re-registration of the curriculum in question.</p> <p>Failure to register a curriculum, denial of registration of a curriculum, and revocation of registration of a curriculum will preclude an institution from publicizing the availability of such academic program and from recruiting or enrolling students in such academic program. In addition, the institution must cease operation of the affected curriculum and cooperate with SED to ensure existing students in such program are able to find avenues for completion with minimal disruption.</p>
<p>Other points of note</p>	<p>An institution may depart from Part 52 standards only with the prior written approval of the Commissioner and for the purposes of achieving particular objectives.</p>

Exhibit C:

Federal Data Regarding Average Institutional Expenditures on Instruction

Control of institution (HD2017)	Institution Name	Average of Instruction salaries % of Total	Average of Instruction salaries % of Core	Sum of (b) Instruction- Salaries and wages	Sum of (a) Total expenses-Total amount (F1516_F3)	Sum of Core Exp
Private for-profit	ASA College	17.1%	17.2%	10,783,860	62,990,574	62,542,991
	Berkeley College-New York	15.5%	17.3%	14,809,182	95,761,022	85,366,507
	Briarcliffe College	14.9%	15.3%	5,242,111	35,209,852	34,167,954
	Bryant & Stratton College-Albany	14.6%	14.6%	984,645	6,762,116	6,762,116
	Bryant & Stratton College-Amherst	17.3%	17.3%	841,941	4,860,432	4,860,432
	Bryant & Stratton College-Buffalo	18.2%	18.2%	1,279,546	7,031,358	7,031,358
	Bryant & Stratton College-Greece	11.9%	11.9%	643,657	5,424,927	5,424,927
	Bryant & Stratton College-Henrietta	12.3%	12.3%	582,523	4,749,782	4,749,782
	Bryant & Stratton College-Online	6.4%	9.0%	2,375,802	37,077,991	26,295,287
	Bryant & Stratton College-Southtowns	18.1%	18.1%	966,318	5,342,098	5,342,098
	Bryant & Stratton College-Syracuse	13.5%	13.5%	1,050,038	7,764,444	7,764,444
	Bryant & Stratton College-Syracuse North	15.9%	15.9%	901,542	5,682,127	5,682,127
	Christie's Education	15.9%	15.9%	333,230	2,092,987	2,092,987
	DeVry College of New York	16.1%	16.4%	4,149,279	25,781,029	25,322,775
	Elmira Business Institute	16.5%	16.5%	1,090,425	6,616,560	6,616,560
	Five Towns College	19.7%	23.7%	2,500,934	12,671,782	10,535,791
	Island Drafting and Technical Institute	39.1%	39.1%	722,364	1,847,559	1,847,559
	Jamestown Business College	19.4%	20.1%	707,147	3,641,308	3,524,382
	LIM College	15.1%	15.1%	7,155,723	47,419,158	47,419,158
	Long Island Business Institute	18.8%	18.8%	2,406,405	12,802,913	12,802,913
	Mandl School-The College of Allied Health	13.7%	13.7%	1,780,348	13,004,492	13,004,492
	Mildred Elley School-Albany Campus	14.5%	14.5%	3,682,469	25,394,075	25,394,075
	Mildred Elley-New York Campus	#DIV/0!	#DIV/0!			
	Monroe College	18.5%	20.0%	20,291,378	109,768,689	101,670,886
	New York Automotive and Diesel Institute	13.2%	13.2%	700,000	5,315,257	5,315,257
	New York Career Institute	20.6%	20.6%	1,027,845	4,984,959	4,984,959
	New York Conservatory for Dramatic Arts	6.8%	8.5%	684,692	10,132,366	8,019,286
	Pacific College of Oriental Medicine-New York	24.6%	24.6%	2,252,601	9,171,658	9,171,658
	Plaza College	29.4%	31.6%	3,786,000	12,864,000	11,998,000
	School of Visual Arts	24.6%	26.4%	35,460,390	144,092,123	134,204,930
	Sotheby's Institute of Art-NY	16.8%	16.8%	1,733,727	10,301,537	10,301,537
	St Paul's School of Nursing-Queens	33.7%	33.7%	2,963,206	8,800,875	8,800,875
	St Paul's School of Nursing-Staten Island	37.5%	37.5%	3,305,994	8,821,565	8,821,565
	Swedish Institute a College of Health Sciences	22.1%	22.1%	3,271,055	14,791,670	14,791,670
	The Art Institute of New York City	24.2%	26.9%	2,777,812	11,498,846	10,338,410
	The College of Westchester	18.6%	18.6%	3,505,671	18,835,626	18,835,626
	Tri-State College of Acupuncture	21.0%	21.2%	622,362	2,963,934	2,939,828

Private not-for-profit	10.5%	11.1%	711,736	6,782,395	6,425,626
Wood Tobe-Coburn School	18.3%	19.5%	148,083,958	809,054,986	761,170,828
Yeshiva Karlin Stolin	62.2%	66.2%	843,525	1,356,255	1,274,755
Finger Lakes Health College of Nursing	65.1%	65.1%	761,240	1,168,848	1,168,848
Yeshivath Viznitz	32.6%	58.2%	1,811,389	5,558,512	3,110,103
Yeshiva Derech Chaim	58.0%	58.0%	1,656,605	2,855,782	2,855,782
Belanger School of Nursing	53.8%	53.8%	1,179,531	2,193,433	2,193,433
St Joseph's College of Nursing at St Joseph's Hospital Health Center	52.0%	52.0%	2,352,241	4,527,792	4,527,792
Associated Beth Rivkah Schools	49.2%	49.2%	647,870	1,315,494	1,315,494
Pomeroy College of Nursing at Crouse Hospital	46.0%	46.0%	2,108,634	4,586,389	4,586,389
New York College of Traditional Chinese Medicine	44.3%	44.3%	962,537	2,170,524	2,170,524
Memorial College of Nursing	44.1%	44.1%	748,095	1,697,529	1,697,529
Samaritan Hospital School of Nursing	41.6%	41.6%	786,006	1,891,233	1,891,233
Yeshiva of Far Rockaway Derech Aayson Rabbinical Seminary	41.5%	41.5%	1,512,708	3,647,075	3,647,075
Yeshiva Sholom Shachna	34.0%	40.2%	2,362,968	6,958,823	5,878,499
Phillips School of Nursing at Mount Sinai Beth Israel	36.2%	39.3%	1,295,750	3,576,775	3,296,587
Talmudical Institute of Upstate New York	39.1%	39.1%	688,928	1,761,991	1,761,991
Bais Medrash Elyon	38.9%	38.9%	614,600	1,581,205	1,581,205
Yeshiva Gedola Ohr Yisrael	38.7%	38.7%	706,715	1,828,428	1,828,428
Mesivtha Tifereth Jerusalem of America	38.5%	38.5%	1,506,082	3,908,317	3,908,317
Uta Mesivta of Kiryas Joel	37.6%	37.6%	6,000,351	15,978,447	15,978,447
Cochran School of Nursing	35.7%	35.7%	1,223,271	3,424,215	3,424,215
LIU Brentwood	35.7%	35.7%	1,278,638	3,584,953	3,584,953
Yeshiva Shaar Hatorah	35.6%	35.6%	865,791	2,429,971	2,429,971
Molloy College	33.8%	35.5%	34,215,774	101,144,880	96,445,796
Beth Medrash Meor Yitzchok	26.6%	35.2%	587,477	2,206,662	1,667,946
Manhattan School of Music	30.9%	35.1%	12,387,416	40,106,909	35,331,930
Torah Temimah Talmudical Seminary	34.3%	34.3%	617,989	1,801,931	1,801,931
Columbia University in the City of New York	32.5%	34.2%	1,313,392,000	4,044,402,000	3,845,667,000
Saint Elizabeth College of Nursing	33.9%	33.9%	1,516,417	4,473,953	4,473,953
Northeastern Seminary	33.5%	33.5%	514,639	1,534,806	1,534,806
Rabbinical Academy Mesivta Rabbi Chaim Berlin	33.3%	33.3%	1,220,436	3,665,914	3,665,914
Saint John Fisher College	27.0%	32.9%	24,992,584	92,469,852	76,040,107
Talmudical Seminary Oholei Torah	32.7%	32.7%	1,322,241	4,044,476	4,044,476
D'Youville College	29.9%	32.6%	17,430,387	58,314,447	53,460,717
Helene Fuld College of Nursing	32.2%	32.2%	2,019,693	6,265,305	6,265,305
Daemen College	27.9%	32.1%	13,676,449	49,065,197	42,661,994
Rochester Institute of Technology	26.8%	31.8%	146,234,000	546,393,000	460,191,000
Beth Hamedrash Shaarei Yosher Institute	31.6%	31.6%	681,167	2,153,121	2,153,121
Adelphi University	29.3%	31.6%	57,628,090	196,519,595	182,203,574
LIU Riverhead	31.6%	31.6%	620,870	1,963,432	1,963,432
LIU Brooklyn	28.7%	31.4%	53,306,410	185,680,491	169,867,459
Hofstra University	27.7%	31.3%	102,003,280	368,738,871	325,775,194
LIU Post	28.1%	31.1%	44,468,516	158,119,160	142,935,446
Relay Graduate School of Education	30.9%	30.9%	9,146,450	29,630,413	29,630,413

St. Joseph's College-New York	30.6%	25,088,000	81,869,000	81,869,000	81,869,000
Sh'or Yeshuv Rabbinical College	30.6%	1,605,869	5,249,962	5,249,962	5,249,962
Elim Bible Institute and College	30.6%	546,588	2,299,534	2,299,534	1,787,604
Seminar L'moros Bais Yaakov	30.4%	766,789	2,518,571	2,518,571	2,518,571
Trocaire College	30.1%	5,218,188	17,928,306	17,928,306	17,347,069
Pratt Institute-Main	29.5%	46,453,087	178,109,688	178,109,688	157,441,924
Cazenovia College	29.3%	5,660,601	25,050,068	25,050,068	19,307,180
Yeshiva Zichron Aryeh	29.2%	829,708	3,146,668	3,146,668	2,841,613
Nazareth College	29.1%	18,584,144	76,454,653	76,454,653	63,897,380
The Sage Colleges	29.1%	13,149,213	52,274,146	52,274,146	45,262,797
St John's University-New York	28.8%	106,630,302	452,490,000	452,490,000	370,454,000
Pace University-New York	28.8%	87,502,159	355,998,024	355,998,024	286,683,022
Clarkson University	28.6%	33,681,218	135,094,734	135,094,734	117,851,593
Maria College of Albany	28.5%	3,007,902	11,182,514	11,182,514	10,549,461
LIU Hudson at Westchester	28.4%	713,904	2,515,050	2,515,050	2,515,050
Yeshiva of Machzikai Hadas	28.1%	1,132,502	4,032,707	4,032,707	4,032,707
Albany Law School	28.0%	4,976,544	18,008,560	18,008,560	17,784,345
Roberts Wesleyan College	27.9%	9,318,256	37,360,671	37,360,671	33,449,596
Bank Street College of Education	27.7%	15,346,571	59,204,786	59,204,786	55,474,896
Bard College	27.6%	42,912,295	172,882,869	172,882,869	155,464,208
Nyack College	27.5%	11,185,133	46,905,300	46,905,300	40,686,099
Le Moyne College	27.4%	18,306,228	80,704,321	80,704,321	66,706,372
Yeshiva Gedolah Kesser Torah	27.3%	273,517	1,000,528	1,000,528	1,000,528
Dominican College of Blauvelt	27.3%	8,510,335	38,872,548	38,872,548	31,170,615
Central Yeshiva Beth Joseph	27.2%	377,407	1,385,645	1,385,645	1,385,645
New York Chiropractic College	27.2%	6,976,972	28,804,017	28,804,017	25,669,423
Ithaca College	27.2%	48,009,478	217,862,542	217,862,542	176,698,331
Fordham University	27.1%	132,955,000	580,117,000	580,117,000	490,581,000
Touro College	27.1%	64,152,000	243,385,000	243,385,000	236,757,000
Manhattanville College	26.6%	14,031,992	61,990,689	61,990,689	52,902,214
Marymount Manhattan College	26.4%	11,429,658	55,587,866	55,587,866	43,290,788
New York Institute of Technology	26.2%	60,270,809	249,645,095	249,645,095	230,398,635
Utica College	26.0%	19,144,537	79,800,121	79,800,121	73,493,126
LIU Hudson at Rockland	25.9%	936,186	3,615,962	3,615,962	3,615,962
College of Mount Saint Vincent	25.8%	9,053,102	45,235,971	45,235,971	35,074,044
The College of Saint Rose	25.5%	19,494,231	86,953,063	86,953,063	76,406,581
Keuka College	25.4%	9,382,701	42,932,232	42,932,232	36,918,870
The New School	25.3%	83,028,000	371,452,000	371,452,000	328,748,000
Manhattan College	25.2%	27,082,828	128,249,659	128,249,659	107,495,053
Niagara University	25.2%	17,072,109	81,444,557	81,444,557	67,817,842
Teachers College at Columbia University	25.0%	45,626,204	205,660,148	205,660,148	182,350,842
Bais Binyomin Academy	25.0%	442,631	1,772,262	1,772,262	1,772,262
Iona College	24.9%	20,976,000	99,502,000	99,502,000	84,382,000
St Bernard's School of Theology and Ministry	24.8%	260,739	1,051,700	1,051,700	1,051,700
Marist College	24.7%	36,131,495	177,472,892	177,472,892	146,171,085

Yeshivas Maharit D'Satmar	24.7%	316,680	1,281,664	1,281,664
Hartwick College	20.4%	10,116,296	49,520,819	41,080,027
Mount Saint Mary College	17.7%	10,330,606	58,440,859	42,097,743
Webb Institute	21.1%	1,530,398	7,248,071	6,269,503
Rabbinical College Beth Shraga	24.4%	522,922	2,142,602	2,142,602
Concordia College-New York	17.3%	4,727,746	27,364,394	19,402,021
Syracuse University	19.3%	174,738,776	905,148,753	719,469,442
Villa Maria College	23.2%	1,955,279	8,430,347	8,079,498
Albany College of Pharmacy and Health Sciences	22.1%	10,195,898	46,042,720	42,754,490
Hamilton College	20.0%	27,424,000	137,303,000	115,738,000
St. Thomas Aquinas College	21.3%	6,612,240	31,031,769	27,938,250
Hilbert College	21.7%	3,570,428	16,449,475	15,151,374
Barnard College	18.5%	28,847,017	156,124,000	122,546,000
Brooklyn Law School	21.5%	11,700,163	54,502,929	49,791,237
Sarah Lawrence College	21.0%	16,748,917	79,808,860	71,396,201
Yeshiva of Nitra Rabbinical College	23.3%	708,887	3,045,513	3,045,513
Siena College	18.5%	18,461,042	99,905,172	79,373,893
Union College	19.0%	24,637,915	129,372,513	105,979,561
Vassar College	20.2%	35,987,000	178,270,000	155,260,000
Kehilath Yakov Rabbinical Seminary	23.0%	451,107	1,964,647	1,964,647
Ohr Hameir Theological Seminary	22.9%	774,360	3,377,243	3,377,243
Mercy College	21.0%	28,188,317	134,454,734	123,119,364
Canisius College	20.2%	18,343,263	90,747,801	80,317,941
Skidmore College	18.6%	28,785,000	154,706,000	126,311,000
Yeshivas Novominsk	22.7%	1,294,286	5,693,075	5,693,075
Medaille College	20.4%	7,478,427	36,650,659	33,103,467
Hobart William Smith Colleges	19.2%	20,474,112	106,869,250	90,675,075
American Musical and Dramatic Academy	19.8%	12,473,859	62,880,022	55,612,280
Colgate University	19.3%	35,597,900	184,004,732	158,875,060
St Lawrence University	17.9%	21,726,340	121,348,952	97,002,838
New York Theological Seminary	20.3%	1,025,259	5,055,987	4,627,809
American Academy of Dramatic Arts-New York	16.3%	1,632,637	10,020,617	7,413,985
Alfred University	19.0%	12,791,846	67,195,256	58,330,114
New York Law School	20.7%	13,151,901	63,493,859	60,985,477
Boricua College	21.3%	2,764,394	12,971,249	12,971,249
New York School of Interior Design	21.2%	3,042,721	14,368,144	14,368,144
Machzikei Hadath Rabbinical College	21.0%	437,057	2,081,090	2,081,090
Rabbinical College of Long Island	20.9%	1,107,836	5,307,439	5,307,439
Yeshiva of the Telshe Alumni	20.8%	1,229,911	5,921,292	5,921,292
University of Rochester	5.4%	196,873,845	3,650,678,000	949,302,000
The Juilliard School	18.6%	19,955,604	107,306,331	99,568,852
The King's College	14.8%	3,258,293	22,002,592	16,380,531
Talmudical Seminary of Bobov	16.4%	531,866	3,246,802	2,681,602
Houghton College	16.3%	5,409,231	33,247,216	27,283,397
Davis College	17.2%	739,418	4,300,461	3,742,016

United Talmudical Seminary	18.6%	19.8%	4,394,821	23,666,844	22,242,407
New York College of Health Professions	19.2%	19.7%	2,088,400	10,904,830	10,583,332
Wagner College	16.3%	19.4%	11,786,648	72,451,900	60,716,507
St Bonaventure University	17.3%	19.3%	9,403,880	54,396,302	48,626,496
St Francis College	19.2%	19.2%	9,676,375	50,497,028	50,497,028
Wells College	13.7%	19.1%	3,125,060	22,778,695	16,376,999
New York Academy of Art	18.8%	18.8%	1,046,847	5,580,254	5,580,254
Cornell University	16.5%	18.5%	355,891,190	2,154,076,702	1,926,463,366
Metropolitan College of New York	18.4%	18.4%	4,948,972	26,914,073	26,914,073
Elmira College	13.8%	18.2%	6,228,977	45,249,655	34,146,059
Culinary Institute of America	15.5%	17.7%	23,014,993	148,317,250	129,756,271
Mirror Yeshiva Cent Institute	17.3%	17.3%	703,710	4,074,454	4,074,454
Paul Smiths College of Arts and Science	13.2%	17.2%	3,598,911	27,168,528	20,863,385
Central Yeshiva Tomchei Tmimim Lubavitz	17.2%	17.2%	709,734	4,120,739	4,120,739
Vaughn College of Aeronautics and Technology	16.0%	17.2%	6,199,985	38,711,980	36,050,059
Yeshiva D'monsey Rabbinical College	17.2%	17.2%	135,150	787,178	787,178
Colgate Rochester Crozer Divinity School	15.7%	17.2%	678,513	4,328,253	3,954,725
Rensselaer Polytechnic Institute	15.2%	17.0%	61,890,000	406,163,000	363,046,000
Beis Medrash Heichal David	17.0%	17.0%	337,634	1,985,993	1,985,993
The College of New Rochelle	15.1%	16.9%	10,383,851	68,959,228	61,420,049
Rabbinical College Ohr Yisroel	16.5%	16.5%	186,694	1,130,905	1,130,905
Hebrew Union College-Jewish Institute of Religion	16.3%	16.3%	9,939,424	61,141,353	61,141,353
New York College of Podiatric Medicine	14.5%	15.8%	2,529,129	17,417,895	16,055,397
Saint Vladimirs Orthodox Theological Seminary	12.0%	15.7%	586,788	4,879,445	3,747,676
Be'er Yaakov Talmudic Seminary	15.6%	15.6%	672,090	4,299,580	4,299,580
Excelsior College	15.3%	15.3%	16,475,005	107,429,989	107,429,989
New York University	13.8%	15.2%	763,803,000	5,548,777,000	5,039,883,000
Yeshivat Mikdash Melech	15.0%	15.0%	442,879	2,961,562	2,961,562
Bet Medrash Gadol Ateret Torah	14.9%	14.9%	596,611	3,998,771	3,998,771
Rabbinical Seminary of America	12.3%	14.7%	728,232	5,918,701	4,956,724
American Academy McAllister Institute of Funeral Service	13.8%	13.8%	777,833	5,618,814	5,618,814
Christ the King Seminary	11.8%	13.7%	471,137	4,005,972	3,435,960
New York Medical College	13.2%	13.5%	16,938,049	128,487,172	125,453,413
Yeshiva Shaarei Torah of Rockland	12.1%	13.3%	225,807	1,869,277	1,694,413
Cooper Union for the Advancement of Science and Art	12.7%	13.1%	10,192,537	80,205,090	77,782,908
Union Theological Seminary in the City of New York	10.5%	12.2%	2,196,370	20,827,737	17,332,491
Jewish Theological Seminary of America	12.2%	12.2%	4,606,604	37,690,274	37,690,274
Rabbinical College Bobover Yeshiva Bnei Zion	11.9%	11.9%	375,369	3,162,175	3,162,175
Weill Cornell Medical College	4.9%	11.7%	93,770,470	1,915,205,152	801,932,323
Rabbinical College of Ohr Shimon Yisroel	11.6%	11.6%	355,500	3,069,423	3,069,423
Yeshiva and Kallei Harbotzas Torah	10.0%	10.0%	45,436	453,207	453,207
The General Theological Seminary	7.5%	9.9%	733,357	9,722,794	7,384,193
Unification Theological Seminary	9.4%	9.7%	246,957	2,622,027	2,536,775
Yeshiva Gedolah Imrei Yosef D'spinka	9.5%	9.5%	102,169	1,071,771	1,071,771
Yeshivath Zichron Moshe	8.0%	8.8%	391,190	4,880,081	4,423,333

Albany Medical College	8.0%	27,971,000	348,301,000	347,795,000
Mesivta Torah Vodaath Rabbinical Seminary	7.5%	342,496	4,544,870	4,544,870
Yeshiva University	6.7%	52,901,000	793,431,000	759,577,000
Beth Hatalmud Rabbinical College	6.4%	89,110	1,403,293	1,300,478
Mesivta of Eastern Parkway-Yeshiva Zichron Mellech	6.8%	81,757	1,197,701	1,197,701
Icahn School of Medicine at Mount Sinai	0.7%	14,640,384	2,065,782,000	917,056,631
Elmezzzi Graduate School of Molecular Medicine	0.0%	-	907,000	907,000
Rockefeller University	0.0%	-	356,799,518	322,165,257
St. Joseph's College-Long Island	#DIV/0!	#DIV/0!	#DIV/0!	-
Yeshiva Kollel Tifereth Elizer	#DIV/0!	#DIV/0!	#DIV/0!	-
Mechon L'heyroa	#DIV/0!	#DIV/0!	#DIV/0!	-
Elyon College	#DIV/0!	#DIV/0!	#DIV/0!	-
Yeshiva Ohr Naftoli	#DIV/0!	#DIV/0!	#DIV/0!	-
LIU-University Center Campus	#DIV/0!	#DIV/0!	#DIV/0!	-
Private not-for-profit Total	16.5%	5,321,457,927	32,231,442,380	24,753,428,326
Public				
CUNY Queensborough Community College	38.4%	74,364,138	193,413,333	192,674,724
Nassau Community College	38.3%	88,211,053	230,121,598	230,121,598
CUNY Kingsborough Community College	36.5%	72,744,364	199,343,219	198,374,899
CUNY New York City College of Technology	35.2%	82,134,527	233,476,762	232,379,615
College of Staten Island CUNY	34.1%	73,725,277	216,440,369	215,108,438
CUNY Bernard M Baruch College	33.4%	101,305,285	303,696,680	302,094,820
CUNY Borough of Manhattan Community College	32.5%	103,133,012	317,635,913	315,091,554
CUNY LaGuardia Community College	32.6%	82,864,379	254,241,203	253,313,640
CUNY Lehman College	32.1%	71,246,823	221,932,050	219,514,709
CUNY Hunter College	31.3%	130,471,132	416,790,147	408,091,287
CUNY Hostos Community College	31.5%	39,671,521	125,756,660	125,267,985
CUNY Graduate School and University Center	31.3%	88,715,408	283,653,484	282,961,745
Onondaga Community College	30.5%	32,433,809	106,274,218	106,274,218
CUNY York College	30.2%	40,974,244	135,562,343	134,339,953
SUNY Empire State College	30.4%	41,372,834	136,308,479	135,981,346
CUNY Brooklyn College	29.8%	89,172,879	299,023,420	297,199,180
CUNY Queens College	29.4%	97,325,561	331,546,171	328,533,225
CUNY Bronx Community College	28.6%	52,432,738	183,038,236	181,804,677
SUNY Broome Community College	28.8%	18,782,134	65,152,617	65,152,617
Hudson Valley Community College	28.1%	31,017,139	110,439,494	110,439,494
Fashion Institute of Technology	27.0%	58,317,276	216,247,263	212,050,905
Corning Community College	24.6%	9,086,186	36,918,204	33,060,786
Ulster County Community College	27.4%	8,077,399	29,437,339	29,437,339
Dutchess Community College	27.1%	21,470,160	79,174,928	79,174,928
Jamestown Community College	26.4%	11,749,582	44,519,807	44,035,110
Adirondack Community College	23.1%	9,214,659	39,904,207	34,947,586
CUNY Medgar Evers College	26.1%	37,582,728	143,937,018	142,970,817
CUNY John Jay College of Criminal Justice	25.7%	74,227,202	288,771,483	285,302,636
Finger Lakes Community College	25.7%	13,653,252	53,096,343	53,096,343
CUNY City College	25.4%	115,515,221	454,010,251	450,433,001

Erie Community College	25.5%	35,382,073	25.5%	138,975,222	138,975,222
Suffolk County Community College	25.0%	70,133,964	25.4%	280,881,112	276,159,530
SUNY Westchester Community College	24.8%	40,740,391	24.8%	164,543,818	164,543,818
Jefferson Community College	19.9%	8,280,166	24.6%	41,689,850	33,650,245
Binghamton University	18.5%	96,708,787	24.5%	522,041,120	394,912,577
Rockland Community College	24.2%	19,470,320	24.2%	80,390,812	80,390,812
SUNY College of Optometry	17.0%	9,472,892	23.5%	55,582,959	40,317,077
University at Buffalo	21.0%	232,542,003	22.9%	1,107,485,634	1,013,474,504
Orange County Community College	22.9%	19,419,331	22.9%	84,797,171	84,797,171
Fulton-Montgomery Community College	22.5%	5,726,044	22.5%	25,451,595	25,399,850
Farmingdale State College	21.3%	34,015,918	22.5%	159,630,367	151,263,419
Upstate Medical University	3.7%	44,945,118	22.5%	1,216,116,113	200,043,022
Stony Brook University	9.5%	230,048,757	22.4%	2,419,279,602	1,027,535,461
SUNY College at Brockport	19.3%	36,375,989	22.3%	188,276,244	162,926,510
Niagara County Community College	22.1%	13,735,714	22.2%	62,193,864	61,815,702
United States Merchant Marine Academy	22.0%	14,748,679	22.0%	66,897,665	66,897,665
SUNY College at Plattsburgh	19.2%	28,285,684	22.0%	147,560,639	128,393,413
SUNY College at Geneseo	17.6%	24,319,689	21.5%	138,514,849	112,972,539
Cayuga County Community College	21.5%	8,662,565	21.5%	40,313,903	40,313,903
State University of New York at New Paltz	18.5%	35,133,580	21.4%	189,792,845	164,216,451
SUNY Downstate Medical Center	6.6%	62,084,815	21.2%	936,111,270	292,187,079
SUNY College at Potsdam	18.1%	21,373,715	21.0%	118,332,205	101,921,907
SUNY at Fredonia	17.9%	23,861,606	21.0%	133,253,092	113,872,740
SUNY College at Old Westbury	18.0%	19,147,351	20.9%	106,663,923	91,618,191
Mohawk Valley Community College	20.9%	14,038,374	20.9%	67,240,036	67,240,036
SUNY at Albany	17.9%	100,684,514	20.7%	561,422,929	485,261,971
SUNY College of Technology at Delhi	17.7%	12,298,525	20.6%	69,631,542	59,689,537
SUNY College of Technology at Alfred	16.9%	14,457,196	20.5%	85,333,769	70,439,473
Sullivan County Community College	20.5%	4,770,928	20.5%	23,254,230	23,254,230
SUNY College at Oswego	16.5%	33,697,351	20.3%	203,628,346	165,700,611
SUNY College of Technology at Canton	18.0%	12,445,404	20.3%	69,203,862	61,326,131
CUNY School of Law	19.9%	8,377,157	20.0%	42,095,151	41,826,167
Clinton Community College	19.9%	4,053,171	19.9%	20,343,340	20,343,340
Columbia-Greene Community College	19.9%	4,290,317	19.9%	21,604,415	21,604,415
North Country Community College	19.8%	2,992,176	19.8%	15,091,474	15,091,474
Morrisville State College	17.3%	13,549,208	19.5%	78,215,282	69,305,939
SUNY Cortland	16.6%	27,735,857	19.4%	166,831,254	142,940,463
United States Military Academy	17.6%	66,856,401	19.4%	380,734,105	344,611,897
SUNY Buffalo State	16.6%	42,466,382	19.4%	256,388,567	219,214,135
Monroe Community College	19.3%	32,237,439	19.3%	167,301,075	167,301,075
Genesee Community College	19.1%	8,930,188	19.1%	46,792,775	46,792,775
Tompkins Cortland Community College	18.6%	9,557,655	18.6%	51,347,737	51,347,737
SUNY Oneonta	15.2%	23,682,415	18.5%	155,893,478	128,159,111
Schenectady County Community College	17.8%	6,957,138	17.8%	39,160,598	39,160,598
SUNY at Purchase College	15.3%	22,029,111	17.7%	144,294,208	124,346,863

SUNY College of Environmental Science and Forestry	16.1%	14,957,584	92,704,321	91,144,229
Herkimer County Community College	16.4%	5,227,429	31,925,503	31,925,503
SUNY College of Agriculture and Technology at Cobleskill	13.8%	10,081,899	72,949,314	63,112,700
Stella and Charles Guttman Community College	15.8%	5,458,936	34,548,791	34,548,791
SUNY Maritime College	11.9%	8,633,255	72,650,943	61,785,181
CUNY System Office	6.8%	35,664,629	520,833,202	520,833,202
SUNY Polytechnic Institute	5.0%	18,163,098	359,881,846	354,363,850
SUNY-System Office	0.3%	534,587	206,925,162	205,840,219
Public Total	19.0%	3,470,435,997	18,232,846,388	14,396,339,636
Grand Total	17.4%	8,939,977,282	51,255,362,834	39,910,939,790

Exhibit D:

Further Analysis of Our Critics' Proposed Formulas

Further Analysis of Our Critics' Proposed Formulas

As discussed within Section II of the attached testimony, our critics are perhaps motivated by good intentions, but the policy proposals they suggest are misguided and often contain significant methodological flaws. One such example is a formula that has been advocated by The Century Foundation (TCF) and supported by others that would examine instructional expenditures compared to tuition revenue. A deeper analysis of this formula and its flaws is provided below:

TCF proposes as its ideal formula for calculating an institution's educational "bang" for a student's "buck" the following, deeming it an institution's "Instructional Spending Ratio":

$$\text{Instructional expenditures} \div \text{Tuition revenue}$$

A major problem with this ratio, as we have raised with the Governor's advisors and TCF alike, is that it inherently skews in favor of large institutions and institutions that have diversified revenue streams other than tuition – such as public and non-profit institutions that receive direct appropriations from the State and federal government, operate sophisticated fundraising campaigns and maintain significant endowments, take in revenue from the operation of large athletic stadiums subsidized by tax dollars, license their logo and other owned works for reproduction, and so forth. Smaller colleges with more focused missions or more limited activities inherently operate differently – and this formula punishes those institutions for offering a different college experience. As noted in our discussion of the 80/20 Rule, tuition revenue at public and non-profit colleges accounts for just 20% and 30% of total revenue, respectively, whereas proprietary institutions receive no direct State or federal appropriations or aid and, therefore, tuition revenue inherently accounts for over 90% of total revenue.¹ This underlying fact inherently skews the formula in such a way that a reasonable person could be led to believe that a more tuition-reliant institution spending an average amount of funding on instruction (i.e., between 16 – 21% of total expenses) is spending very little on instruction, when in reality, the denominator is simply much larger. To illustrate:

	Public	Non-Profit	For-Profit
Total revenue	\$100,000	\$100,000	\$100,000
→ Revenue derived from tuition	\$20,000	\$30,000	\$90,000
Total expenses	\$88,000	\$88,000	\$88,000
Expenses on instruction	\$16,000	\$16,000	\$16,000
TCF's "Instructional Spending Ratio"	$\$16,000 \div \$20,000$	$\$16,000 \div \$30,000$	$\$16,000 \div \$90,000$
<i>Instructional expenditures ÷ Tuition revenue</i>	80%	53%	17%

Therefore, even though you are comparing three institutions with identical amounts of revenue and expenditures and identical investments in instruction, one institution gets a flunking grade due to having a different operating model and funding sources. A metric that compares an institution's investment in educational activities to its total expenditures would be far more meaningful: Not only would it allow you to track an institution's spending priorities over time, but it would provide

¹ *The Condition of Education (2016)*, U.S. DEPARTMENT OF EDUCATION, <https://nces.ed.gov/pubs2016/2016144.pdf>.

a more accurate apples-to-apples comparison resulting in a baseline score that would make obvious any outliers underinvesting in educational activities:

	Public	Non-Profit	For-Profit
Total revenue	\$100,000	\$100,000	\$100,000
Revenue derived from tuition	\$20,000	\$30,000	\$90,000
→ Total expenses	\$88,000	\$88,000	\$88,000
Expenses on instruction	\$16,000	\$16,000	\$16,000
APC's "Instructional Spending Ratio" <i>Instructional expenditures ÷</i> <i>Total expenditures</i>	$\$16,000 \div \$88,000$ 18%	$\$16,000 \div \$88,000$ 18%	$\$16,000 \div \$88,000$ 18%

TCF's proposed metric is biased, and their policy experts know so. APC and its member colleges have directly engaged with TCF, its leadership, and its researchers on the faults of its proposed metrics and we have clearly heard and read each other's testimonies at numerous hearings before lawmakers over the last several years – yet they continue to push out reports, submit comments, and circulate advocacy materials containing bogus metrics, half-truths, and outright fabrications.

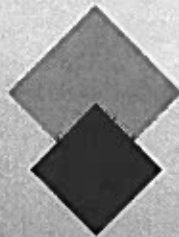
We assume TCF's zeal, and that of our other critics, originates from a place of passion – we ask that our critics recognize that APC member colleges are passionate about students, too, and we hope all of our critics will discuss their concerns with us directly instead of publicly denigrating our institutions' reputations and undermining the credentials of the very students for which our critics purport to advocate.

Exhibit E:

Middle States Commission on Higher Education (MSCHE) Accreditation Standards and Requirements

STANDARDS
for Accreditation
and
REQUIREMENTS
of Affiliation

THIRTEENTH EDITION



Middle States Commission on Higher Education

STANDARDS
for Accreditation
and
REQUIREMENTS
of Affiliation

THIRTEENTH EDITION



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Revised for clarification with editorial changes to the Requirements of Affiliation, November 2015.

Standards for Accreditation and Requirements of Affiliation replaces all the earlier editions of Characteristics of Excellence in Higher Education: Requirements of Affiliation and Standards for Accreditation: 1919, 1941, 1953, 1957, 1971, 1978, 1982, 1988, 1989, 1994, 2002, and those revised with editorial changes in 2006, 2007, 2008 and 2011.

Permission is granted to colleges and universities within the jurisdiction of the Middle States Commission on Higher Education to photocopy this handbook for the purpose of institutional self-study and peer review.

The text of this publication also may be downloaded from the Commission's website. Bound copies may be purchased through the publications order form, also available on the website.

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Preamble

Statement Regarding the Purpose of and Commitment to Accreditation *by the Middle States Commission on Higher Education*

An institution of higher education is a community dedicated to students, to the pursuit and dissemination of knowledge, to the study and clarification of values, and to the advancement of the society it serves. The Middle States Commission on Higher Education (MSCHE), through accreditation, mandates that its member institutions meet rigorous and comprehensive standards, which are addressed in the context of the mission of each institution and within the culture of ethical practices and institutional integrity expected of accredited institutions. In meeting the quality standards of MSCHE accreditation, institutions earn accredited status, and this permits them to state with confidence: "Our students are well-served; society is well-served."

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Introduction

Middle States accreditation is an expression of confidence in an institution's mission and goals, its performance, and its resources. An institution is accredited when the educational community has verified that its goals are achieved through self-regulation and peer review. The extent to which each educational institution accepts and fulfills the responsibilities inherent in the process of accreditation is a measure of its commitment to striving for and achieving excellence in its endeavors.

The Middle States Commission on Higher Education Accreditation Standards and Requirements of Affiliation are comprised of the enclosed seven standards and 15 requirements which serve as an ongoing guide for those institutions considering application for membership, those accepted as candidate institutions, and those accredited institutions engaged in self-review and peer evaluation. Accredited institutions are expected to demonstrate compliance with these standards and requirements, to conduct their activities in a manner consistent with the standards and requirements, and to engage in ongoing processes of self-review and improvement.

Four principles guided the development of these standards: first, the mission-centric standards acknowledge the diversity of institutions; second, the focus of the standards is on the student learning experience; third, the standards emphasize institutional assessment and assessment of student learning; fourth, the standards support innovation as an essential part of continuous institutional improvement.

These standards affirm that the individual mission and goals of each institution remain the context within which these accreditation standards are applied. They emphasize functions rather than specific structures, recognizing that there are many different models for educational and operational excellence.

Each standard is expressed in one or two sentences and is then followed by criteria. The criteria specify characteristics or qualities that encompass the standard. Institutions and evaluators will use these criteria together with the standards, within the context of institutional mission, to demonstrate or determine compliance. Institutions and evaluators should not use the criteria as a checklist.

Requirements of Affiliation

To be eligible for, to achieve, and to maintain Middle States Commission on Higher Education accreditation, an institution must demonstrate that it fully meets the following Requirements of Affiliation. Compliance is expected to be continuous and will be validated periodically, typically at the time of institutional self-study and during any other evaluation of the institution's compliance. Once eligibility is established, an institution then must demonstrate on an ongoing basis that it meets the Standards for Accreditation.

1. The institution is authorized or licensed to operate as a postsecondary educational institution and to award postsecondary degrees; it provides written documentation demonstrating both. Authorization or licensure is from an appropriate governmental organization or agency within the Middle States region (Delaware, the District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, and the U.S. Virgin Islands), as well as by other agencies as required by each of the jurisdictions, regions, or countries in which the institution operates.
2. The institution is operational, with students actively enrolled in its degree programs.
3. For institutions pursuing Candidacy or Initial Accreditation, the institution will graduate at least one class before the evaluation team visit for initial accreditation takes place, unless the institution can demonstrate to the satisfaction of the Commission that the lack of graduates does not compromise its ability to demonstrate that students have achieved appropriate learning outcomes.
4. The institution's representatives communicate with the Commission in English, both orally and in writing.
5. The institution complies with all applicable government (usually Federal and state) laws and regulations.
6. The institution complies with applicable Commission, interregional, and inter-institutional policies. These policies can be viewed on the Commission website, www.msche.org.
7. The institution has a mission statement and related goals, approved by its governing board, that defines its purposes within the context of higher education.

Institutions that offer only postsecondary certificates, diplomas, or licenses are not eligible for accreditation by the Middle States Commission on Higher Education.

Requirements of Affiliation

8. The institution systematically evaluates its educational and other programs and makes public how well and in what ways it is accomplishing its purposes.
9. The institution's student learning programs and opportunities are characterized by rigor, coherence, and appropriate assessment of student achievement throughout the educational offerings, regardless of certificate or degree level or delivery and instructional modality.
10. Institutional planning integrates goals for academic and institutional effectiveness and improvement, student achievement of educational goals, student learning, and the results of academic and institutional assessments.
11. The institution has documented financial resources, funding base, and plans for financial development, including those from any related entities (including without limitation systems, religious sponsorship, and corporate ownership) adequate to support its educational purposes and programs and to ensure financial stability. The institution demonstrates a record of responsible fiscal management, has a prepared budget for the current year, and undergoes an external financial audit on an annual basis.
12. The institution fully discloses its legally constituted governance structure(s) including any related entities (including without limitation systems, religious sponsorship, and corporate ownership). The institution's governing body is responsible for the quality and integrity of the institution and for ensuring that the institution's mission is being accomplished.
13. A majority of the institution's governing body's members have no employment, family, ownership, or other personal financial interest in the institution. The governing body adheres to a conflict of interest policy that assures that those interests are disclosed and that they do not interfere with the impartiality of governing body members or outweigh the greater duty to secure and ensure the academic and fiscal integrity of the institution. The institution's district/system or other chief executive officer shall not serve as the chair of the governing body.
14. The institution and its governing body/bodies make freely available to the Commission accurate, fair, and complete information on all aspects of the institution and its operations. The governing body/bodies ensure that the institution describes itself in comparable and consistent terms to all of its accrediting and regulatory agencies, communicates any changes in accredited status, and agrees to disclose information (including levels of governing body compensation, if any) required by the Commission to carry out its accrediting responsibilities.
15. The institution has a core of faculty (full-time or part-time) and/or other appropriate professionals with sufficient responsibility to the institution to assure the continuity and coherence of the institution's educational programs.

Standard I

Mission and Goals

The institution's mission defines its purpose within the context of higher education, the students it serves, and what it intends to accomplish. The institution's stated goals are clearly linked to its mission and specify how the institution fulfills its mission.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. clearly defined mission and goals that:
 - a. are developed through appropriate collaborative participation by all who facilitate or are otherwise responsible for institutional development and improvement;
 - b. address external as well as internal contexts and constituencies;
 - c. are approved and supported by the governing body;
 - d. guide faculty, administration, staff, and governing structures in making decisions related to planning, resource allocation, program and curricular development, and the definition of institutional and educational outcomes;
 - e. include support of scholarly inquiry and creative activity, at levels and of the type appropriate to the institution;
 - f. are publicized and widely known by the institution's internal stakeholders;
 - g. are periodically evaluated;
2. institutional goals that are realistic, appropriate to higher education, and consistent with mission;
3. goals that focus on student learning and related outcomes and on institutional improvement; are supported by administrative, educational, and student support programs and services; and are consistent with institutional mission; and
4. periodic assessment of mission and goals to ensure they are relevant and achievable.

Standard II

Ethics and Integrity

Ethics and integrity are central, indispensable, and defining hallmarks of effective higher education institutions. In all activities, whether internal or external, an institution must be faithful to its mission, honor its contracts and commitments, adhere to its policies, and represent itself truthfully.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. a commitment to academic freedom, intellectual freedom, freedom of expression, and respect for intellectual property rights;
2. a climate that fosters respect among students, faculty, staff, and administration from a range of diverse backgrounds, ideas, and perspectives;
3. a grievance policy that is documented and disseminated to address complaints or grievances raised by students, faculty, or staff. The institution's policies and procedures are fair and impartial, and assure that grievances are addressed promptly, appropriately, and equitably;
4. the avoidance of conflict of interest or the appearance of such conflict in all activities and among all constituents;
5. fair and impartial practices in the hiring, evaluation, promotion, discipline, and separation of employees;
6. honesty and truthfulness in public relations announcements, advertisements, recruiting and admissions materials and practices, as well as in internal communications;
7. as appropriate to its mission, services or programs in place:
 - a. to promote affordability and accessibility;
 - b. to enable students to understand funding sources and options, value received for cost, and methods to make informed decisions about incurring debt;
8. compliance with all applicable federal, state, and Commission reporting policies, regulations, and requirements to include reporting regarding:
 - a. the full disclosure of information on institution-wide assessments, graduation, retention, certification and licensure or licensing board pass rates;
 - b. the institution's compliance with the Commission's Requirements of Affiliation;

Standard II

- c. substantive changes affecting institutional mission, goals, programs, operations, sites, and other material issues which must be disclosed in a timely and accurate fashion;
 - d. the institution's compliance with the Commission's policies; and
- 9. periodic assessment of ethics and integrity as evidenced in institutional policies, processes, practices, and the manner in which these are implemented.

Standard III

Design and Delivery of the Student Learning Experience

An institution provides students with learning experiences that are characterized by rigor and coherence at all program, certificate, and degree levels, regardless of instructional modality. All learning experiences, regardless of modality, program pace/schedule, level, and setting are consistent with higher education expectations.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. certificate, undergraduate, graduate, and/or professional programs leading to a degree or other recognized higher education credential, of a length appropriate to the objectives of the degree or other credential, designed to foster a coherent student learning experience and to promote synthesis of learning;
2. student learning experiences that are designed, delivered, and assessed by faculty (full-time or part-time) and/or other appropriate professionals who are:
 - a. rigorous and effective in teaching, assessment of student learning, scholarly inquiry, and service, as appropriate to the institution's mission, goals, and policies;
 - b. qualified for the positions they hold and the work they do;
 - c. sufficient in number;
 - d. provided with and utilize sufficient opportunities, resources, and support for professional growth and innovation;
 - e. reviewed regularly and equitably based on written, disseminated, clear, and fair criteria, expectations, policies, and procedures;
3. academic programs of study that are clearly and accurately described in official publications of the institution in a way that students are able to understand and follow degree and program requirements and expected time to completion;
4. sufficient learning opportunities and resources to support both the institution's programs of study and students' academic progress;
5. at institutions that offer undergraduate education, a general education program, free standing or integrated into academic disciplines, that:
 - a. offers a sufficient scope to draw students into new areas of intellectual experience, expanding their cultural and global awareness and cultural sensitivity, and preparing them to make well-reasoned judgments outside as well as within their academic field;

Standard III

- b. offers a curriculum designed so that students acquire and demonstrate essential skills including at least oral and written communication, scientific and quantitative reasoning, critical analysis and reasoning, technological competency, and information literacy. Consistent with mission, the general education program also includes the study of values, ethics, and diverse perspectives; and
- c. in non-US institutions that do not include general education, provides evidence that students can demonstrate general education skills;
- 6. in institutions that offer graduate and professional education, opportunities for the development of research, scholarship, and independent thinking, provided by faculty and/or other professionals with credentials appropriate to graduate-level curricula;
- 7. adequate and appropriate institutional review and approval on any student learning opportunities designed, delivered, or assessed by third-party providers; and
- 8. periodic assessment of the effectiveness of programs providing student learning opportunities.

Standard IV

Support of the Student Experience

Across all educational experiences, settings, levels, and instructional modalities, the institution recruits and admits students whose interests, abilities, experiences, and goals are congruent with its mission and educational offerings. The institution commits to student retention, persistence, completion, and success through a coherent and effective support system sustained by qualified professionals, which enhances the quality of the learning environment, contributes to the educational experience, and fosters student success.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. clearly stated, ethical policies and processes to admit, retain, and facilitate the success of students whose interests, abilities, experiences, and goals provide a reasonable expectation for success and are compatible with institutional mission, including:
 - a. accurate and comprehensive information regarding expenses, financial aid, scholarships, grants, loans, repayment, and refunds;
 - b. a process by which students who are not adequately prepared for study at the level for which they have been admitted are identified, placed, and supported in attaining appropriate educational goals;
 - c. orientation, advisement, and counseling programs to enhance retention and guide students throughout their educational experience;
 - d. processes designed to enhance the successful achievement of students' educational goals including certificate and degree completion, transfer to other institutions, and post-completion placement;
2. policies and procedures regarding evaluation and acceptance of transfer credits, and credits awarded through experiential learning, prior non-academic learning, competency-based assessment, and other alternative learning approaches;
3. policies and procedures for the safe and secure maintenance and appropriate release of student information and records;
4. if offered, athletic, student life, and other extracurricular activities that are regulated by the same academic, fiscal, and administrative principles and procedures that govern all other programs;
5. if applicable, adequate and appropriate institutional review and approval of student support services designed, delivered, or assessed by third-party providers; and
6. periodic assessment of the effectiveness of programs supporting the student experience.

Standard V

Educational Effectiveness Assessment

Assessment of student learning and achievement demonstrates that the institution's students have accomplished educational goals consistent with their program of study, degree level, the institution's mission, and appropriate expectations for institutions of higher education.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. clearly stated educational goals at the institution and degree/program levels, which are interrelated with one another, with relevant educational experiences, and with the institution's mission;
2. organized and systematic assessments, conducted by faculty and/or appropriate professionals, evaluating the extent of student achievement of institutional and degree/program goals. Institutions should:
 - a. define meaningful curricular goals with defensible standards for evaluating whether students are achieving those goals;
 - b. articulate how they prepare students in a manner consistent with their mission for successful careers, meaningful lives, and, where appropriate, further education. They should collect and provide data on the extent to which they are meeting these goals;
 - c. support and sustain assessment of student achievement and communicate the results of this assessment to stakeholders;
3. consideration and use of assessment results for the improvement of educational effectiveness. Consistent with the institution's mission, such uses include some combination of the following:
 - a. assisting students in improving their learning;
 - b. improving pedagogy and curriculum;
 - c. reviewing and revising academic programs and support services;
 - d. planning, conducting, and supporting a range of professional development activities;
 - e. planning and budgeting for the provision of academic programs and services;
 - f. informing appropriate constituents about the institution and its programs;
 - g. improving key indicators of student success, such as retention, graduation, transfer, and placement rates;
 - h. implementing other processes and procedures designed to improve educational programs and services;
4. if applicable, adequate and appropriate institutional review and approval of assessment services designed, delivered, or assessed by third-party providers; and

- 5. periodic assessment of the effectiveness of assessment processes utilized by the institution for the improvement of educational effectiveness.**

Standard VI

Planning, Resources, and Institutional Improvement

The institution's planning processes, resources, and structures are aligned with each other and are sufficient to fulfill its mission and goals, to continuously assess and improve its programs and services, and to respond effectively to opportunities and challenges.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. institutional objectives, both institution-wide and for individual units, that are clearly stated, assessed appropriately, linked to mission and goal achievement, reflect conclusions drawn from assessment results, and are used for planning and resource allocation;
2. clearly documented and communicated planning and improvement processes that provide for constituent participation, and incorporate the use of assessment results;
3. a financial planning and budgeting process that is aligned with the institution's mission and goals, evidence-based, and clearly linked to the institution's and units' strategic plans/objectives;
4. fiscal and human resources as well as the physical and technical infrastructure adequate to support its operations wherever and however programs are delivered;
5. well-defined decision-making processes and clear assignment of responsibility and accountability;
6. comprehensive planning for facilities, infrastructure, and technology that includes consideration of sustainability and deferred maintenance and is linked to the institution's strategic and financial planning processes;
7. an annual independent audit confirming financial viability with evidence of follow-up on any concerns cited in the audit's accompanying management letter;
8. strategies to measure and assess the adequacy and efficient utilization of institutional resources required to support the institution's mission and goals; and
9. periodic assessment of the effectiveness of planning, resource allocation, institutional renewal processes, and availability of resources.

Standard VII

Governance, Leadership, and Administration

The institution is governed and administered in a manner that allows it to realize its stated mission and goals in a way that effectively benefits the institution, its students, and the other constituencies it serves. Even when supported by or affiliated with governmental, corporate, religious, educational system, or other unaccredited organizations, the institution has education as its primary purpose, and it operates as an academic institution with appropriate autonomy.

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. a clearly articulated and transparent governance structure that outlines roles, responsibilities, and accountability for decision making by each constituency, including governing body, administration, faculty, staff and students;
2. a legally constituted governing body that:
 - a. serves the public interest, ensures that the institution clearly states and fulfills its mission and goals, has fiduciary responsibility for the institution, and is ultimately accountable for the academic quality, planning, and fiscal well-being of the institution;
 - b. has sufficient independence and expertise to ensure the integrity of the institution. Members must have primary responsibility to the accredited institution and not allow political, financial, or other influences to interfere with their governing responsibilities;
 - c. ensures that neither the governing body nor its individual members interferes in the day-to-day operations of the institution;
 - d. oversees at the policy level the quality of teaching and learning, the approval of degree programs and the awarding of degrees, the establishment of personnel policies and procedures, the approval of policies and by-laws, and the assurance of strong fiscal management;
 - e. plays a basic policy-making role in financial affairs to ensure integrity and strong financial management. This may include a timely review of audited financial statements and/or other documents related to the fiscal viability of the institution;
 - f. appoints and regularly evaluates the performance of the Chief Executive Officer;
 - g. is informed in all its operations by principles of good practice in board governance;
 - h. establishes and complies with a written conflict of interest policy designed to ensure the impartiality of the governing body by addressing matters such as payment for services, contractual relationships, employment, and family, financial or other interests that could pose or be perceived as conflicts of interest;

Standard VII

- i. supports the Chief Executive Officer in maintaining the autonomy of the institution;
3. a Chief Executive Officer who:
- a. is appointed by, evaluated by, and reports to the governing body and shall not chair the governing body;
 - b. has appropriate credentials and professional experience consistent with the mission of the organization;
 - c. has the authority and autonomy required to fulfill the responsibilities of the position, including developing and implementing institutional plans, staffing the organization, identifying and allocating resources, and directing the institution toward attaining the goals and objectives set forth in its mission;
 - d. has the assistance of qualified administrators, sufficient in number, to enable the Chief Executive Officer to discharge his/her duties effectively; and is responsible for establishing procedures for assessing the organization's efficiency and effectiveness;
4. an administration possessing or demonstrating:
- a. an organizational structure that is clearly documented and that clearly defines reporting relationships;
 - b. an appropriate size and with relevant experience to assist the Chief Executive Officer in fulfilling his/her roles and responsibilities;
 - c. members with credentials and professional experience consistent with the mission of the organization and their functional roles;
 - d. skills, time, assistance, technology, and information systems expertise required to perform their duties;
 - e. regular engagement with faculty and students in advancing the institution's goals and objectives;
 - f. systematic procedures for evaluating administrative units and for using assessment data to enhance operations; and
5. periodic assessment of the effectiveness of governance, leadership, and administration.

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Accreditation Review Cycle and Monitoring Policy

Effective Date: September 1, 2018

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I. Purpose

The Middle States Commission on Higher Education (MSCHE or the Commission) seeks to ensure that institutions are reevaluated and monitored on a regular and consistent basis. The purpose of this policy is to establish the timeline and components of the Commission's accreditation review cycle. Additional information about reviews, reports, and visits can be found in *Accreditation Activities Guidelines*.

II. Statement of Policy

In accordance with federal regulation *34 CFR §602.19*, the Commission shall implement a cycle for accreditation review that reevaluates and monitors institutions to ensure compliance with standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements. The Commission shall assign institutions to an accreditation review cycle which dictates the timeline and a regular and consistent schedule of review. While the Commission has established a continuous accreditation review cycle, the Commission reserves the right to conduct monitoring activities at any time.

A. Accreditation Review Activities

The Commission's eight-year* cycle includes a Self-Study Evaluation and On-Site Evaluation visit, and a Mid-Point Peer Review (MPPR). The Commission will require an accredited institution to undergo a comprehensive Self-Study Evaluation and On-Site Evaluation Visit at least every eight years. The Commission will conduct the MPPR in the fourth year following the self-study evaluation and on-site evaluation visit. Institutions that are newly accredited must complete a second Self-Study Evaluation and On-Site Evaluation Visit four years after the date that accreditation was granted.

B. Monitoring Activities

The Commission will monitor member institutions to ensure continued institutional compliance with standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements. Monitoring activities include the Annual Institutional Update (AIU), follow-up reports and visits, and out of cycle monitoring. The Commission will require member institutions to submit and verify data and upload required documents on an annual basis through the AIU. The Commission may require institutions to submit further evidence through Recommendations Responses in conjunction with the AIU. The Commission may require institutions to submit follow-up reports or host follow-up visits as directed in the Commission's accreditation action. The Commission may require out of cycle monitoring at any time if it has concerns about the institution's ongoing compliance with the Commission's standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements.

* *The full implementation of the eight-year cycle begins with accredited institutions who will have self-study in 2020-2021.*

C. Changes in Accreditation Review Cycle

The accreditation review cycle is continuous and the institution's assigned cycle cannot be altered except under extraordinary circumstances. Only the Commission may alter the accreditation review cycle as may be necessary based on circumstances.

III. Procedures

The Commission staff will develop procedures as are necessary to ensure the consistent implementation of policies. See *Accreditation Review Cycle and Monitoring Procedures*.

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Federal Regulations: §602.18(e) Ensuring consistency in decision-making; §602.19 Monitoring and reevaluation; §602.22 Substantive change

Accreditation Review Cycle and Monitoring Procedures

Effective Date: September 1, 2018

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I. Purpose

The Middle States Commission on Higher Education (MSCHE or the Commission) seeks to ensure that institutions are reevaluated and monitored on a regular and consistent basis. The purpose of these procedures is to implement the Commission's *Accreditation Review Cycle and Monitoring Policy* and describe the procedures for each component of the accreditation review cycle and monitoring activities. Additional information about reviews, reports, and visits can be found in *Accreditation Activities Guidelines*.

II. Self-Study Evaluation and On-Site Evaluation Visit

- A. Institutions will conduct a Self-Study Evaluation in accordance with the assigned accreditation review cycle. Self-study will require that the institution engage in an in-depth, comprehensive, and reflective assessment process to identify institutional priorities as well as opportunities for improvement and innovation. Through this process, the institution must provide evidence and document compliance with the Commission's standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements.
- B. The institution will participate in the *Self-Study Institute*, which is training on the self-study evaluation process and how to write an effective Self-Study Design. Self-Study Chairpersons of the Steering Committee will attend the Commission's *Self-Study Institute* approximately two years prior to the On-Site Evaluation Visit.
- C. The institution will craft and submit a Self-Study Design which serves as a guide for the self-study process and enables the Steering Committee and Working Groups to conceptualize and organize relevant tasks. The Self-Study Design communicates important information to three audiences: the campus, the Commission staff liaison, and the Team Chair. See the Self-Study Design Template.
- D. The Commission staff liaison must accept the Self-Study Design before an institution may proceed with self-study. The institution will engage in self-study in accordance with the timeline established in the Self-Study Design.
- E. The institution will host a Self-Study Preparation Visit from the Commission staff liaison approximately two years in advance of the self-study. The purpose of the visit is to discuss the Self-Study Design, answer questions about Commission policies and procedures, and meet with institutional constituencies.

- F. The Commission staff will assign a team of peer evaluators in accordance with *Peer Evaluators Policy* and *Peer Evaluators Procedures*.
- G. The institution will host a Chair's Preliminary Visit from the Team Chair. The purpose of the visit is to ensure that the institution is ready to host the on-site evaluation visit and to determine if the Self Study Report is adequate to support the work of the team.
 - 1. The Team Chair will conduct the visit to the institution's main campus approximately four-to-six months prior to the On-Site Evaluation Visit.
 - 2. The Team Chair will schedule this visit with the institution's President, make travel arrangements, and handle all logistics with the institution.
- H. The institution will write a Self-Study Report and compile Evidence which documents the institution's compliance with the Commission's standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements.
- I. The institution will upload the Self-Study Report and all Evidence to the secure MSCHE portal no later than six weeks prior to the On-Site Evaluation Visit.
- J. Peer evaluators will review the Self Study Report and Evidence prior to the scheduled On-Site Evaluation Visit.
- K. Peer evaluators may request additional evidence prior to arriving on-site to clarify information or verify compliance.
- L. In accordance with federal regulation *34 CFR §602.22(c)(2)* and *(d)*, as part of the self-study evaluation, peer evaluators will conduct Self-Study Site Visits to all geographic locations designated as branch campuses and one-third of active additional locations if the institution has more than three active additional locations. The purpose of these visits is to verify information about the locations and ensure continued compliance for additional sites.
 - 1. These visits may be conducted by the Team Chair or a designated team member, who will schedule the visit(s), make travel arrangements, and handle all logistics with the institution.
 - 2. The peer evaluator's findings are incorporated into the Team Report.
- M. The institution will host an On-Site Evaluation Visit by peer evaluators. During the visit, peer evaluators will clarify the information provided in the Self-Study Report and verify evidence submitted by the institution by interviewing campus constituencies (including key administrators, governing board members, faculty, staff, and students).
- N. Peer evaluators may request additional evidence while they are on-site to clarify information or verify compliance.
- O. The institution will provide additional evidence that has been requested and upload it to the secure MSCHE portal. Institutions may only upload additional evidence for a set period of time, which begins seven days after the original evidence was submitted up until seven days following the On-Site Evaluation Visit.

- P. The team of peer evaluators will develop a draft Team Report that summarizes the team's findings.
1. The team of peer evaluators will use the Team Report Template.
 2. The Team Report will provide collegial advice to the institution.
 3. The Team Report will identify team recommendations.
 4. The Team Report will describe whether the institution is in compliance with standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements.
 5. If the team is unable to verify compliance or has confirmed non-compliance, the team report must identify specific standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements, and must issue *requirements* describing actions the institution must take to demonstrate compliance.
 6. The Team Report does not include the action that the team is proposing to the Commission.
- Q. The team will meet with institutional representatives for an oral exit report. The institution's President (CEO) is encouraged to invite all members of the campus community to hear the oral exit report.
1. During the oral exit report, the Team Chair conveys the team's findings about the institution's compliance, noting team recommendations and requirements as well as collegial advice.
 2. The oral exit report must not differ materially from the draft Team Report and should be equally candid, honest, clear, and forthright.
 3. Under no circumstances does the Team Chair or any other team member share with the institution the action that the team will propose for consideration by the Committee and the Commission. The team's findings represent only the first step in the multi-level decision-making process.
- R. The institution has the opportunity to identify factual inaccuracies in the draft Team Report and report them to the Team Chair.
- S. The Team Chair will finalize the Team Report and upload it to the secure MSCHE portal.
- T. The institution has the opportunity to respond to the final Team Report in writing through an Institutional Response.
- U. The Team Chair submits a Chair's Confidential Brief to the Commission summarizing the Team Report and conveying the team's proposal for action. The Chair's Confidential Brief is not made available to the institution.
- V. The Commission, through its multi-level decision making process, will analyze all of the accreditation materials and any other appropriate information available to it.
- W. The Commission will take an accreditation action in accordance with its *Accreditation Actions Policy* and *Accreditation Actions Procedures*.

III. Mid-Point Peer Review (MPPR)

- A. The Commission will conduct the Mid-Point Peer Review (MPPR) midway through the accreditation review cycle to review five years of accumulated financial data, student achievement data, and responses to Commission recommendations (if requested) submitted by the institution through a series of Annual Institutional Updates (AIU).
- B. The Commission staff will assign peer evaluators in accordance with the *Peer Evaluators Policy* and *Peer Evaluators Procedures*.
- C. Peer evaluators will analyze the data report and confirm that trends observed in the data do not raise concerns about the institution's financial health and student achievement. If an institution was directed by the Commission to provide Recommendations Responses, peer evaluators will review the submitted Recommendations Responses and determine if the institution is responding appropriately.
- D. Peer evaluators will develop a report that will indicate whether there are any concerns resulting from the MPPR. This report is shared with the institution.
- E. The institution has the opportunity to respond to the final Team Report in writing through an Institutional Response.
- F. The Commission, through its multi-level decision making process, will analyze all of the accreditation materials and any other appropriate information available to it.
- G. The Commission will take an accreditation action in accordance with its *Accreditation Actions Policy* and *Accreditation Actions Procedures*.

IV. Monitoring Activities

The Commission will employ a number of approaches to monitor institutions throughout the accreditation cycle.

A. Annual Institutional Update (AIU)

1. The Commission will collect and analyze key data indicators on an annual basis, including but not limited to, enrollment data, financial information, and measures of student achievement.
2. Institutions will submit or verify institutional data and upload required documents on an annual basis. A designated individual from the institution will certify that the data have been reviewed and are accurate.
3. If required in a prior Commission action, the institution will submit Recommendations Responses in conjunction with each AIU until the next MPPR or Self-Study Evaluation, whichever comes first. The institution will have the opportunity to provide narrative updates but cannot upload documents as evidence until its next self-study.

B. Follow-Up Reports and Visits

1. The Commission may request written follow-up reports and follow-up visits in an accreditation action. The accreditation action will specify the type(s) of follow-up

reports and visits. Descriptions of reviews, reports, and visits can be found in *Accreditation Activities Guidelines*.

2. The institution will submit written follow-up report(s) as directed in the accreditation action. Guidance related to follow-up reports can be found in *Follow-Up Reports Guidelines*.
3. The institution will host follow-up visits as directed in the accreditation action. Information about hosting a visit can be found in *Follow-Up Visits Procedures*.
4. The Commission, through its multi-level decision making process, will analyze all of the accreditation materials and any other appropriate information available to it.
5. The Commission will take an accreditation action in accordance with its *Accreditation Actions Policy* and *Accreditation Actions Procedures*.

C. Out of Cycle Monitoring

1. The Commission will conduct out of cycle monitoring if it has concerns about the institution's ongoing compliance with the Commission's standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements.
2. The Commission may obtain and utilize information from the institution or external sources such as media reports, other accreditors, other publicly available data, complaints or third-party comments, or substantive change to identify areas of concern.
3. The Commission will request an Out of Cycle Supplemental Information Report (SIR). The request will describe the Commission's concern(s) and assign a due date for submission.
4. The institution will submit a response that addresses the Commission's concern(s) and explains the relationship between the concerns and any relevant standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements.
5. The Commission may conduct an on-site visit after the submission of the institution's response if compliance with standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements requires on-site review and verification.
6. The Commission, through its multi-level decision making process, will analyze all of the accreditation materials and any other appropriate information available to it.
7. The Commission will take an accreditation action in accordance with its *Accreditation Actions Policy* and *Accreditation Actions Procedures*.

V. Changes to the Accreditation Review Cycle

- A. When impacted by extraordinary circumstances, the institution may request a delay in the due date of a required accreditation activity within the institution's accreditation review cycle.
- B. In accordance with the Commission's *Accreditation Actions Policy* and *Accreditation Actions Procedures*, the Commission, or staff acting on behalf of the Commission, will grant or reject the request for a delay, which will be noted in the institution's accreditation action history.
- C. A delay in the due date will not alter the institution's assigned accreditation review cycle (assigned cohort) and the institution must continue to adhere to the established schedule.
- D. The Commission may, in extraordinary circumstances, change the due date or change an institution's assigned accreditation review cycle based on circumstances.

VI. Definitions

- A. **Accreditation Materials** –Reports, documents, evidence, information, correspondence, and proposals for action relative to all phases of accreditation activities.
- B. **Annual Institutional Update (AIU)** –A mechanism for ongoing monitoring used by the Commission. Institutions submit and verify key data indicators and upload required documents on an annual basis.
- C. **Mid-Point Peer Review (MPPR)** – A review of accumulated financial data, student achievement data, and responses to Commission recommendations (if requested) submitted by the institutions through a series of Annual Institutional Updates (AIU).
- D. **Recommendations Response** –Submission by the institution of responses to Commission recommendations in conjunction with the AIU each year until the next MPPR or Self-Study Evaluation.

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Related Documents: *Accreditation Actions Policy*; *Accreditation Actions Procedures*; *Accreditation Activities Guidelines*; *Follow-Up Reports Guidelines*; *Follow-Up Visits Procedures*; *Verification of Compliance with Accreditation-Relevant Federal Regulations*; *Peer Evaluators Policy*; *Peer Evaluators Procedures*;



Substantive Change

Effective Date: January 1, 2018

Contents

- I. Purpose
- II. Statement of Policy
- III. Commission Review and Action
- IV. Types of Substantive Change
- V. Definitions

I. Purpose

This policy defines the types of institutional changes that are considered “substantive” and therefore require approval by the Commission of the Middle States Commission on Higher Education or the Executive Committee on its behalf (herein after the Commission), in advance of the change's effective date. See also *Substantive Change Procedures* and the Substantive Change Request Forms specific to the type of change.

II. Statement of Policy

Certain types of institutional changes are defined as “substantive” by the United States Department of Education (USDE). Substantive changes are not automatically covered by the institution’s accredited or candidate status. Accredited and candidate institutions planning a substantive change have the responsibility to obtain **prior approval from the Commission** before the change is effective. **Retroactive approval is not available.** Institutions are strongly urged to contact the designated staff liaison if there is doubt as to whether or not a proposed change falls within the definition of “substantive”. Unless otherwise specified in a Commission action, the earliest allowable effective date of a proposed substantive change is the date of the Commission’s action.

Accreditation or reaffirmation of accreditation is granted to an institution as it exists at the time of evaluation and cannot be acquired by or transferred or extended to a non-accredited institution or organization. While the decision to modify an institution is an institutional prerogative and responsibility, the Commission is obligated to ensure that any substantive change does not adversely affect the capacity of the institution to continue to meet accreditation standards and requirements of affiliation. For all types of substantive change, the member institution must demonstrate, to the satisfaction of the Commission, that it meets or will continue to meet the *Standards for Accreditation and Requirements of Affiliation* after the substantive change occurs. The institution assures that an affiliation with partner institutions does not adversely affect the member institution’s capacity to continue to meet accreditation standards and requirements of affiliation.

For institutions that participate in federal Title IV (student financial aid) programs, failure to obtain prior approval from the Commission may result in the USDE requirement that the institution reimburse the government for funds received related to the substantive change or the loss of Title IV funding. Approval of a substantive change by the Commission does not guarantee Title IV eligibility.

A substantive change may be considered “complex” by the Commission or staff on its behalf, depending on the nature of the change. The definition of complex substantive change is provided in the definitions section of this policy and in *Substantive Change Procedures*. The staff liaison will advise the institution about how to proceed with a complex substantive change. A complex substantive change may necessitate consideration of academic, financial, and legal matters, and the parties involved should anticipate that a longer approval time may be required.

All accreditation materials submitted to the Commission as part of a substantive change request are confidential in accordance with Commission policy *Communication in the Accreditation Process*.

III. Commission Review and Action

Based on its review of a request for substantive change, the Commission may take any action in accordance with the policy *Accreditation Actions*. The Commission reserves the right to decline to review a substantive change request submitted by any institution that is not in compliance with the Commission’s accreditation standards and requirements of affiliation (including institutions that are subject to warning, probation, show cause, or withdrawal of accreditation or candidate status), or the Commission’s policies, guidelines, or procedures.

The Commission may rescind its approval of the substantive change if all required external approvals are not received by the Commission or the change is not implemented by the member institution within one calendar year.

New comprehensive review. In accordance with federal regulations (34 CFR §602.22(a)(3)), the Commission may request a *new comprehensive evaluation* of the institution when changes made or proposed by an institution are or would be sufficiently extensive to warrant closer examination. Changes such as significant change in mission, change in legal status, form of control or ownership, student population, institutional type, or significant enrollment growth or rapid expansion of locations may be considered by the Commission in directing the institution to undertake an early self-study evaluation, undergo a review of its Candidate status, or otherwise demonstrate that it is in compliance with accreditation standards and requirements of affiliation.

IV. Types of Substantive Change

In accordance with federal regulations, the Commission considers the following types of changes to be substantive and therefore to require Commission approval before the change is effective:

1. Mission or Objectives

Federal regulations require prior approval of any change in the established mission or objectives of the institution (34 CFR §602.22(a)(2)(i)).

Such changes include but are not limited to any change that leads to a fundamental shift in the nature of the institution or other event(s) deemed to be significant by the Commission, whether or not specifically listed in this policy or in the regulations of the USDE. Editorial changes in the language of a mission statement are not substantive and do not require Commission approval.

2. Legal Status, Form of Control, or Ownership

Federal regulations require prior approval of a change in the legal status of the institution, form of control, or ownership of the institution (*34 CFR §602.22 (a)(2)(ii) and (ix) and 34 CFR §600.31*).

The types of transactions that constitute a change of legal status, form of control or ownership of an institution are defined in the Definitions provided below. In all such cases, all member institutions involved in the transaction must demonstrate subsequent to the change in legal status, form of control, or ownership, to the satisfaction of the Commission, that they meet or will continue to meet the accreditation standards and requirements of affiliation.

If the transaction involves an institutional closure, the Commission requires a teach-out plan and/or agreement describing how any students remaining in the program will be accommodated. Approvals from all licensing, regulatory or other legal entities must also be provided.

Early notification. The Commission requires an institution planning a change in legal status, form of control, or ownership of the institution to notify the staff liaison *as soon as it is aware of the potential change (34 CFR §602.24(b))*.

Site Visits. During the review process and prior to approval, Commission representatives may conduct a site visit to one or all entities involved in the transaction.

Further, federal regulations require that the Commission undertake a site visit to the institution after it has undergone a change in legal status, form of control, or ownership, or other change that resulted in a change of control as soon as practicable, but no later than six months after the change of ownership (*34 CFR §602.24(b)*). The Commission may conduct this site visit to one or all entities involved in the transaction.

3. Significant Departure from Existing Educational Programs

Federal regulations require prior approval for the addition of programs that are a significant departure from the offerings of educational programs that existed and were previously included within the scope of the institution's accreditation (*34 CFR §602.22(a)(2)(iii)*).

The Commission defines "significant departure" from offerings as the addition of credit-bearing programs that are not a logical extension of programs currently offered by the institution.

4. Alternative Delivery Method

Federal regulations require prior approval of the addition of courses or programs that are a significant departure from the methods of delivery that existed and were previously included within the scope of the institution's accreditation (*34 CFR §602.22(a)(2)(iii)*).

The Commission requires prior approval for the first two degree or academic programs for which 50 percent or more of the degree or academic programs will be offered through an alternative method of delivery (distance education, correspondence education, etc.). The 50 percent standard includes only courses offered in their entirety (100 percent) via an alternative

delivery method, not courses utilizing mixed delivery or hybrid methods.

5. Direct Assessment/ Competency Based Education (CBE) Programs

Federal regulations require prior approval for the initiation or expansion of direct assessment or competency based education programs (34 CFR §668.10).

The Commission requires prior approval of all programs for which 100% of student progression through a program is completed through the direct assessment of competencies (and not through the completion of credit hours). See the Commission guidelines *Degrees and Credits* for related federal regulation guidelines regarding competency-based programs.

Please note: In accordance with 34 CFR §668.10(g) Direct assessment programs, Title IV, HEA program eligibility with respect to direct assessment programs is limited to direct assessment programs approved by the Secretary.

6. Different Credential Level

Federal regulations require prior approval of the addition of programs of study at a degree or credential level that is different from those that existed and were previously included within the scope of the institution's accreditation (34 CFR §602.22(a)(2)(iv)). Multiple credential levels submitted at one time may require the submission of a complex substantive change.

The Commission requires prior approval for the addition of the first two programs offered at each degree or credential level (including certificate programs) that is different from those that existed and were previously included within the scope of the institution's accreditation. The Commission uses IPEDS (Integrated Postsecondary Education Data System) definitions for specific certificate, degree, or credential levels.

- After Commission approval of the first two programs, new programs at an existing degree or credential level ordinarily do not require Commission review. However, the addition of such programs may necessitate prior approval if these new programs are a significant departure as defined under #3 in this policy.
- Branch campuses and additional locations operate with some independence from the main campus. Therefore, the Commission may require additional review prior to the addition of programs at a different degree or credential level at such locations, even if the main campus currently offers the same degree or credential level.

7. Clock Hours to Credit Hours

Federal regulations require prior approval of a change from clock hours to credit hours in one or more institutional programs (34 CFR §602.22(2)(v)).

The Commission requires prior approval for each program an institution plans to convert from clock hour to credit hour.

8. Number of Clock or Credit Hours

Federal regulations require prior approval of a substantial increase or decrease in the number of clock or credit hours awarded for successful completion of a program (34 CFR 602.22(2)(vi)).

The Commission requires prior approval if an institution plans a substantial increase or

decrease in the number of credits awarded without a change in content or change in number of courses required for completion of the program. This typically applies to a change of at least 20 percent in the number of clock or credit hours awarded or required.

9. Contractual Arrangements

Federal regulations require prior approval of contractual arrangements with an institution or organization that is not certified to participate in the Title IV federal student financial aid funding programs when the non-accredited entity offers more than 25 percent of the accredited institution's educational programs (*34 CFR §602.22(a)(2)(vii)*).

The Commission requires prior approval for the initiation of contractual arrangements when an institution enters into a contract under which 25 percent of one or more of the institution's educational programs leading to an academic or professional degree, certificate, or other recognized educational credential, will be offered by a third-party provider that is not accredited by an accreditor recognized by the USDE.

Please note: *34 CFR §668.5(3)(ii)(A)* stipulates that Title IV federal student financial aid funding is not available for educational programs that are provided through contractual arrangements between an accredited institution and an ineligible entity wherein more than 50 percent of the educational program is being provided by the ineligible entity.

10. Establishment of Additional Locations

Federal regulations require prior approval for the establishment of an additional location at which the institution offers at least 50 percent of an educational program (*34 CFR §602.22(a)(2)(viii)(A)*).

The Commission requires prior approval to establish a new additional location, including an additional location acquired from another institution, as part of an agreement to teach-out students from another institution. Please see the Definitions section of this policy. Some additional locations might be subject to other substantive change policies, including contractual arrangements, for the provision of courses or educational services at the location.

The Commission may include the additional location within the scope of accreditation only after it determines that the institution has the fiscal and administrative capacity to operate the additional location and continues to meet accreditation standards and requirements of affiliation (*34 CFR §602.22(a)(2)*).

The Commission requires written notification within thirty days of the open date or the commencement of operations at the additional location. In the event that operations at the additional location do not commence within one calendar year from the date of the Commission's action, approval may lapse.

The institution will be assessed annual site dues and site visit fees in accordance with the Commission's policy *Schedule of Dues and Fees*. Additional locations that are international (outside of the United States) will be assessed additional fees.

Site Visits. As part of the approval process, the Commission is required by federal regulations to

conduct a site visit to the first three additional locations as soon as practicable, but no later than six months after the commencement of instruction at the additional location (*34 CFR §602.22(c)(1)*). The purpose of the site visit is to verify that the additional location has the personnel, facilities, resources, fiscal and administrative capacity described in its substantive change request (*34 CFR §602.22(d)*).

However, if the institution has been placed on warning, probation, or show cause by the Commission or is subject to some limitation by the Commission on its accredited or candidate status, a site visit is required (*34 CFR §602.22(c)(1)(iii)*). Unless waived, the Commission also requires a site visit to the first international additional location, regardless of the number of domestic additional locations that have been approved.

- At the time of the self-study evaluation and at other times deemed appropriate by the Commission, the Commission may conduct site visits by visiting one third of active additional locations if the institution operates more than three active additional locations (*34 CFR §602.22(c)(2)*). The Commission considers an additional location to be “active” when it is operational with students enrolled.
- The Commission may, at its discretion, request additional information and/or conduct site visits to a representative sample of additional locations at institutions that experience *rapid growth* in the number of additional locations to ensure that they maintain educational quality (*34 CFR §602.22(c)(3)*).
- Commission actions contingent on visits to international additional locations are subject to travel advisories and security warnings as explained in the Commission’s procedures *International Travel by Commission Staff and Volunteers*.

11. Establishment of a Branch Campus

Federal regulations require prior approval of the establishment of a branch campus (*34 CFR §602.24(a)*).

The Commission requires prior approval to establish a new branch campus, including a branch campus acquired from another institution as part of an agreement to teach-out students from another institution. Please see the Definitions section of this policy for definitions of branch campus, teach-out plan and teach-out agreement. The substantive change request must include a business plan for the branch campus that describes: (i) the educational program(s) to be offered; (ii) the projected revenues and expenditures and cash flow; and (iii) the operation, management, and physical resources at the branch campus (*34 CFR §602.22(a)(1)*).

The Commission may include the branch campus within the scope of accreditation only after it evaluates the business plan and takes whatever other actions it deems necessary to determine that the branch campus has sufficient educational, financial, operational, management, and physical resources to meet accreditation standards and requirements of affiliation (*34 CFR §602.22(a)(2)*).

The Commission requires written notification within thirty days of the open date or the commencement of operations at the branch campus. In the event that operations at the branch campus do not commence within one calendar year from the date of the action, approval may lapse.

Upon approval of a branch campus, the institution will be assessed annual site dues and site visit fees in accordance with the Commission's policy *Schedule of Dues and Fees*. Branch Campuses that are international (outside of the United States) will be assessed additional fees.

Site Visits. As part of the approval process, the Commission is required by federal regulations to conduct a site visit to each branch campus as soon as practicable, but no later than six months after the commencement of instruction at the branch campus (*34 CFR §602.24(a)(3)*). The purpose of the site visit is to verify that the branch campus has the personnel, facilities, resources, fiscal and administrative capacity described in its substantive change request.

- At the time of the self-study evaluation and at other times deemed appropriate by the Commission, the Commission will conduct site reviews of each active branch campus. The Commission considers a branch campus to be "active" when it is operational with students enrolled.
- The Commission may, at its discretion, request additional information and/or conduct site visits to a representative sample of branch campuses of institutions that experience *rapid growth* in the number of branch campuses to ensure that they maintain educational quality.
- Commission actions contingent on visits to international branch campuses are subject to travel advisories and security warnings as explained in the Commission's procedures *International Travel by Commission Staff and Volunteers*.

12. Site Closure, Relocation or Reclassification

The Commission requires prior approval to close, relocate, or reclassify a site (change in category among branch campus, additional location, or other instructional sites). Approvals from all necessary licensing, regulatory, or other legal entities must be provided. Please see the Definitions section of this policy. A site visit is required for the relocation of a main campus, all branch campuses, and additional locations when the institution has fewer than three approved additional locations.

A. Closure. The Commission requires prior approval if an institution intends to close a main campus, branch campus, or additional location. If the site provides 100 percent of at least one program, the institution must also provide a teach-out plan describing how any students remaining in the program will be accommodated (*34 CFR §602.24(c)(1)(iii)*).

B. Relocation. The Commission requires prior approval if an institution intends to move an existing approved main campus, branch campus, or additional location to a new physical location. The institution must submit a substantive change request to *relocate* the site. The Commission does not require substantive change approval to correct spelling, typographical, or other changes required by the United States Postal Service.

C. Reclassification. The Commission requires prior approval if offerings at an existing site change enough to move the site into a new category (see definitions of branch campus, additional location, or other instructional site). The institution must submit a substantive change request to *reclassify* the site.

13. Planned Institutional Closures

Federal regulations require prior approval of plans for institutional closure (*34 CFR §602.24(c)*).

In addition to the substantive change request, the Commission requires a teach-out plan describing how any students remaining in the program will be accommodated. The

Commission may also require one or more teach-out agreement(s). Approvals from all licensing, regulatory or other legal entities must also be provided.

14. Experimental Sites Initiatives (ESI) as Required by the US Department of Education
USDE has invited a limited number of institutions to participate in various Experimental Sites Initiatives (ESI) intended to encourage institutional innovation. Certain ESI programs require MSCHE approval prior to being included within an institution's scope of accreditation.

The Commission requires prior approval, before implementation, of ESI programs as required by the US Department of Education. Institutions are required to submit substantive change requests for each ESI program that requires accreditor approval. Institutions are reminded that participation in ESI initiatives is contingent upon acceptance of institutions into the initiative by USDE. Institutions that are planning ESI programs that require accreditor approval should contact the MSCHE staff liaison as soon as possible. The Commission will work with institutions to obtain Commission review through the substantive change process.

V. Definitions

The following definitions provide more information regarding substantive change:

- A. Additional Location.** An additional location is a domestic or international location, other than a branch campus, that is geographically apart from the primary/main campus and at which the institution offers at least 50 percent of the requirements of an educational program. *(34 CFR §602.22)*
- B. Branch Campus.** A branch campus is a domestic or international location of an institution that is geographically apart, independent of the primary/main campus. The branch campus is considered independent of the main campus if it is permanent in nature; offers courses in educational programs leading to a degree, certificate, or other recognized educational credential; has its own faculty and administrative or supervisory organization; and has its own budgetary and hiring authority. *(34 CFR §600.2)*
- C. Change of Ownership.** A change in ownership of an institution resulting in a change in control may include, but is not limited to, the following types of transactions *(34 CFR §600.31)*:
- 1) the acquisition of the institution by another entity;
 - 2) the acquisition by the institution of another educational entity;
 - 3) a merger with another institution;
 - 4) a consolidation with another institution;
 - 5) the division of one institution into two or more institutions;
 - 6) the sale of an institution;
 - 7) the acquisition or sale of a controlling interest in an institution
 - a. a controlling interest in a for-profit entity is a shareholder who holds or controls both 25 percent or more of the outstanding shares and more shares of voting stock than any other shareholder. If the change in ownership is due to the retirement or death of the owner or a controlling shareholder, and the ownership is transferred either to a family member or to a person with ownership interest who has been involved in the

management of the institution for at least two years preceding the transfer, the institution should contact the staff liaison to determine whether approval is necessary (34 CFR §600.31);

b. for a nonprofit entity, a controlling interest is the acquisition by an entity of the ability to control the material decisions of the governing board through the ownership of a membership interest in the institution or control through reserved powers of appointment of board members and/or approval of fundamental corporate actions of the institution;

- 8) beginning or ending public sponsorship and control;
- 9) the transfer of the liabilities of an institution to its parent corporation;
- 10) a transfer of substantially all the educational business of an institution, including a transfer through a joint venture or other contractual arrangement;
- 11) a change in status as a for-profit, nonprofit or public institution (i.e. legal status for purposes of compliance with federal regulation); or
- 12) any other transaction or modification of the ownership or governing body of the institution that changes, or has the potential to change the control of the institution or its fundamental structure or organization. Please see Definitions.

The granting of a security interest in the assets of the educational business of an institution does not constitute a change in control. A change of control involving two institutions, one within the Commission's region and another outside of the region, requires the review and approval of the Commission.

- D. Clock Hour.** A clock hour is a unit of measure that represents an hour of scheduled instruction given to students. It is also referred to as contact hour. (34 CFR §600.2)
- E. Competency Based Education (CBE).** A CBE program is one that organizes content according to what a student knows and can do, often referred to as a "competency." CBE programs also generally have clear claims for student learning, stress what students can do with the knowledge and skills they acquire, and have assessments that provide measurable evidence of competency. Student progress is determined by mastery of each competency. Because CBE focuses on whether students have mastered these competencies, there is a focus on learning outcomes rather than time spent in a classroom. (34 CFR §602.3)
- F. Complex Substantive Change.** If the proposed change is sufficiently complex that it requires more in-depth review or requires the Commission to assign or engage a consultant with appropriate expertise to the type of change (e.g., accounting, legal, etc.), it is considered a complex substantive change. The following substantive change types are always considered complex: Changes in legal status, form of control, or ownership and EQUIP Experimental Site Initiatives with the United States Department of Education (USDE). However, in addition to these, any of the types of substantive change may be considered "complex" by the Commission or staff on its behalf, depending on the nature of the change. Examples include (but are not limited to) change in the status of multiple locations, multiple types of change that are submitted simultaneously, and some institutional closures. See *Substantive Change Procedures*.
- G. Contractual Arrangement.** The initiation of a contractual or other arrangement wherein an institution outsources some portion of one or more of its credit bearing educational programs or educational business operations to a third-party provider or an institution that

is not accredited by an accreditor recognized by the USDE, unless approved by the Commission under ESI.

- H. Control.** Control (including the terms controlling, controlled by and under common control with) means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of an institution, corporation, partnership, other entity, or individual, whether through the ownership of voting securities, by contract, in governance documents, or otherwise (*34 CFR §600.31(b)*). The indirect power to direct or cause the direction of management of an institution means the right of another entity to appoint a majority of the governing board representatives or the reservation by another entity of the right to decide or to approve certain fundamental decisions of an institution.
- I. Correspondence Education.** Correspondence education means education provided through one or more courses by an institution under which the institution provides instructional materials by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor. Interaction between the instructor and the student is limited, not regular and substantive, and is primarily initiated by the student. Correspondence courses are typically self-paced. Correspondence education is not distance education. (*34 CFR §602.3*)
- J. Credit Hour.** A credit hour is a unit of measure representing the equivalent of an hour (50 minutes) of instruction per week over the entire term. (*34 CFR §602.3*)
- K. Direct Assessment.** A direct assessment program is an instructional program that, in lieu of credit hours or clock hours as a measure of student learning, utilizes direct assessment of student learning, or recognizes the direct assessment of student learning by others, and meets the conditions of *34 CFR §668.10*. See also competency-based education. (*34 CFR §602.3*)
- L. Distance Education.** Distance education means education that uses one or more of the following technologies to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously: (i) the internet; (ii) one-way or two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices; (iii) audio conferencing; or (iv) video cassettes, DVDs, and CD-ROMs used in a course in conjunction with the previous technologies. (*34 CFR §600.3*)
- M. Other Instructional Site.** MSCHE defines an other instructional site as any off-campus site, other than those meeting the definition of a branch campus or an additional location, at which the institution offers one or more courses for credit. Sites designated as an other instructional site do not require substantive change approval. However, substantive change approval is required to *reclassify* an other instructional site to or from a branch campus or additional location.
- N. Teach-Out Agreement.** A teach-out agreement means a written agreement between institutions that provides for the equitable treatment of students and a reasonable opportunity for students to complete their program of study if an institution, or an

institutional location that provides 100 percent of at least one program offered, ceases to operate before all enrolled students have completed their program of study. (34 CFR §602.3)

- O. Teach-Out Plan.** A teach-out plan is a written plan developed by the institution that provides for the equitable treatment of students to complete their education, including any teach-out agreements that the institution has entered into or intends to enter into with another institution. (34 CFR §602.3)

Number: P1.4

Version: v. 111617 Approved

Effective Date: January 1, 2018

Previously Issued: N/A

Approved/Created: December 1999; May 2000

Revisions: November 2001; June 2003; November 2003; September 2007; November 18, 2010; June 29, 2012; November 1, 2012; April 26, 2013; January 10, 2014; June 26, 2014 (C-RAC Common Language); July 1, 2016; August 25, 2016 (technical amendment); January 1, 2018 (technical amendment)

Related Documents: *Substantive Change Procedures; Travel Expenses; Schedule of Dues and Fees; Merging or Closing a Postsecondary Institution or Program Site; International Travel by Commission Staff and Volunteers; Contracts by Accredited and Candidate Institutions for Education-related Services; Degrees and Credits; Related Entities; Separately Accreditable Institutions; Substantive Change Visits; C-RAC Statement of Competency-Based Education (June 2015)*

Federal Regulations: 34 CFR Part §602 The Secretary's Recognition of Accrediting Agencies, §602.22 Substantive change and §602.24(b) Change in ownership; 34 CFR Part §668: Student Assistance General Provisions; and 34 CFR Part §600.31 – Change in ownership resulting in a change in control for private nonprofit, private for-profit and public institutions.



Substantive Change Procedures

Effective Date: January 1, 2018

Contents

- I. Purpose
- II. Statement
- III. Submission of Substantive Change Requests
- IV. Substantive Change Review Procedures
- V. Complex Substantive Change
- VI. Advertising Substantive Change
- VII. Substantive Change Visits
- VIII. Substantive Change Monitoring Activities
- IX. Substantive Change Fees

I. Purpose

The Middle States Commission on Higher Education (MSCHE or the Commission) **requires approval for certain types of institutional changes defined as substantive by the United States Department of Education (USDE) prior to their implementation.** The types of substantive change are listed and defined in the *Substantive Change Policy*. The purpose of these procedures is to provide guidance to both institutions and reviewers on the procedures and expectations for submitting and obtaining approval of a Substantive Change or Complex Substantive Change prior to its implementation.

II. Statement

In advance of implementing any change that is deemed to be substantive, accredited and candidate institutions must submit a specific request for substantive change to the Commission for review and approval before the change is included within the scope of accreditation. Other types of notification (e.g., the annual Institutional Profile or Annual Institutional Update, a letter to Commission staff, description in the self-study or follow-up reporting) are not acceptable. If an institution is uncertain about whether a proposed change is substantive, the institution should contact the designated staff liaison with preliminary information on the nature and purposes of the planned change. This should be done as early in the planning process as possible. Based on this preliminary review, the staff liaison will advise the institution about whether or not to submit a substantive change request.

III. Submission of Substantive Change Requests

A *Substantive Change Request Form* is posted on the MSCHE website. It must be completed and submitted pursuant to the directions provided in that document. For complex substantive changes, please see the section of this document labeled Complex Substantive Change Requests as well as the relevant forms available on the MSCHE website.

Substantive change submissions need to be thorough, analytical, and complete; they must include appropriate documentation and supporting evidence. All supporting documentation that accompanies a substantive change request must be specifically referenced, and the relevance of such documentation must be made explicit.

Submissions must be made via an electronic mail attachment and sent to substantivechange@msche.org. All submissions must be submitted by the institution's Accreditation Liaison Officer (ALO). To allow for review and the possibility that additional

information may be required, institutions are advised to submit substantive change requests at **least 3 months before the proposed change is scheduled for implementation.**

For most substantive change requests (with the exception of complex substantive changes; see Section V. of this document), the following timetable applies:

Submission deadline:	for anticipated Commission action by the end of:
January 1	February*
March 1	April
May 1	June
July 1	August
September 1	October
November 1	December*

**Please note that meetings occur late in the month and action letters may not be received by the institution until the following month*

IV. Substantive Change Review Procedures

Once all of the required components of the substantive change request submission are received, Commission staff will assign experienced peer evaluators with specialized experience related to the type of substantive change and no known conflicts of interest to conduct the review. In the case of a complex substantive change, staff may assign consultants with expertise such as legal or finance as required.

Staff, peer evaluators, and members of the Commission have the authority to determine whether or not a substantive change request is complete. Staff may request additional information from the institution before proceeding with the review process or staff may consider the submission incomplete and it will not be processed. If requested information is not yet available, the institution may withdraw the substantive change request and re-submit at a later date.

Substantive change requests are first reviewed by peer evaluators who determine that the substantive change request does not adversely affect the institution's compliance with the Commission's Standards for Accreditation, Requirements of Affiliation, and policies, and does not violate federal or state regulations.

Upon the completion of the review, the evaluator(s) will complete the *Substantive Change Reviewer's Report*. In this report, peer evaluators evaluate the request and develop a proposal for action that is subsequently considered by an appropriate committee. The committee's proposal for action is then reviewed by the Commission of the Middle States Commission on Higher Education or the Executive Committee on its behalf (herein after the Commission). Based on its review of a request for substantive change, the Commission may take any action in accordance with the policy *Accreditation Actions*. The Commission action will specify the effective date of the change as well as the impact on any existing accreditation.

As stipulated in that policy, the Commission may decline to review a substantive change request submitted by an institution that is not in compliance with the Commission's accreditation standards and requirements of affiliation (including institutions that are subject to warning, probation, show cause or withdrawal of accreditation or candidacy), or the Commission's policies, guidelines, or procedures.

The Commission notifies the institution, the USDE, other appropriate accrediting agencies, and

the public of the Commission's action in accordance with the Commission policy, *Communication in the Accreditation Process*.

V. Complex Substantive Change

If the proposed change is sufficiently complex that it requires more in-depth review or requires the Commission to assign or engage a consultant with appropriate expertise to the type of change (e.g., accounting, legal, etc.) it is considered a complex substantive change. The following substantive change types are always considered complex: Changes in legal status, form of control, or ownership, and EQUIP Experimental Site Initiatives with the United States Department of Education (USDE). However, in addition to these, any of the types of substantive change may be considered "complex" by the Commission or staff on its behalf, depending on the nature of the change. Examples include (but are not limited to) change in the status of multiple locations, multiple types of change that are submitted simultaneously, and some institutional closures.

The Commission requires an institution planning a complex substantive change to notify the designated staff liaison as soon as it is aware of the potential change. The designated staff liaison will confirm whether a proposed substantive change is considered "complex." Once it is determined that the institution's change(s) represent a complex substantive change, the institution must submit the *Complex Substantive Change Preliminary Review Form*. The *Preliminary Review Form* describes the complex substantive change to the designated staff liaison. The designated staff liaison will schedule consultation with the institution to review the *Preliminary Review Form*. The staff liaison will then provide guidance to the institution about the content and format of the *Complex Substantive Change Request Form* as well as a potential timetable for submission, review, and Commission action, in accordance with the Commission's meeting schedule and review procedures. The Commission may modify the procedures for submitting a complex substantive change depending on the circumstances.

As with substantive change, complex substantive change requests are reviewed by peer evaluators with expertise in the specific type of substantive change. In addition to requesting additional documentation, the evaluator of a complex substantive change may request a conference call or on-site visit to the institution to interview staff and gather information. Peer evaluators develop a proposal for action which is then reviewed by an appropriate committee.

Complex substantive change requests are reviewed by the Committee on Follow-up Activities, which is comprised of Commissioners. The Committee reviews and considers the complex substantive change request form, Substantive Change Reviewer's Report, Confidential Brief, and Institutional Response. All recommendations of the Committee on Follow-up Activities are submitted to the Commission for consideration. Based on its review of a request for complex substantive change, the Commission may take any action in accordance with the policy *Accreditation Actions*.

Complex substantive changes may be submitted at any time. Staff will determine, based on the circumstances and review required, the next Commission meeting at which it can reasonably be acted upon. The Commission meets three times a year in March, June, and November. Approval of a complex substantive change request may take up to one year.

VI. Advertising Substantive Change

If an institution would like to advertise, market, or recruit students and/or faculty for a substantive change that has been submitted for approval, the institution must include a written

notification on all relevant materials that the proposed change is “pending approval by the Middle States Commission on Higher Education.” The institution should not begin to advertise until the substantive change request is submitted.

VII. Substantive Change Visits

In accordance with federal regulations, certain types of substantive change require a site visit as part of the approval process. The visit must occur before the change is included within the scope of accreditation, although the Commission may provisionally approve the change, contingent on completion of the visit. The purpose of the site visit is to verify information submitted in the substantive change request and to confirm that the institution has sufficient educational, financial, operational, management and physical resources to manage the change. Student and faculty comments may also be solicited during site visits. Please see the Commission guidelines *Substantive Change Visits*.

VIII. Substantive Change Monitoring Activities

The Commission conducts monitoring activities in conjunction with its review of substantive change requests when, in the Commission’s judgment, there are issues that may affect the institution’s ability to implement the proposed change and continue to meet the Commission’s Standards for Accreditation, Requirements of Affiliation. The Commission may request follow-up reporting, visits, or request that the institution undertake an early self-study. Upon review of these monitoring activities, the Commission may take any action provided in the policy *Accreditation Actions*.

IX. Substantive Change Fees

For information about substantive change fees, including complex substantive change fees, the institution should refer to the policy *Schedule of Dues and Fees*, which is posted on the MSCHE website under “Policies.”

Number: N/A

Version: v. 111617

Approved: January 2011

Previously Issued:

Revisions: January 2011; July 2013; July 24, 2015; October 28, 2015; April 19, 2016; January 1, 2018 (technical amendment)

Related Documents: *Becoming Accredited*, *Dues & Fees*, *Accreditation Actions*, *Statement of Accreditation Status (SAS)*,

Substantive Change Policy; *Verification of Compliance with Accreditation-Relevant Federal Regulations*; *Communication in the Accreditation Process*

Federal Regulations: §602.22 Substantive change; §602.24 Additional procedures certain institutional accreditors must have;

Filepath: [https://middlestates.sharepoint.com/sites/shared/Files/Policy/ACCREDITATION Policies/Sub Change](https://middlestates.sharepoint.com/sites/shared/Files/Policy/ACCREDITATION%20Policies/Sub%20Change)

Procedures/Revision 2017/SubChangeProcedures 111617 (Tech Amend).docx

Exhibit F:

New York State Student Financial Aid Award Letter Template

*Jointly prescribed by the New York State Department of Financial
Services and the New York State Higher Education Services Corporation*

Name of College/University

Student Name, Identifier

 Download

Costs in the 20xx-xx year

Estimated Cost of Attendance

\$ X,XXX / yr

Tuition and fees	\$ X,XXX
Housing and meals	X,XXX
Books and supplies	X,XXX
Transportation	X,XXX
Other educational costs	X,XXX

Grants and scholarships to pay for college

Total Grants and Scholarships ("Gift" Aid; no repayment needed)

\$ X,XXX / yr

Grants from your school	\$ X,XXX
Federal Pell Grant	X,XXX
Grants from your state	X,XXX
Other scholarships you can use	X,XXX

What will you pay for college

Net Costs

(Cost of attendance minus total grants and scholarships)

\$ X,XXX / yr

Options to pay net costs

Work options

Work-Study (Federal, state, or institutional) \$ X,XXX

Loan options*

Federal Perkins Loans	\$ X,XXX
Federal Direct Subsidized Loan	X,XXX
Federal Direct Unsubsidized Loan	X,XXX

*Recommended amounts shown here. You may be eligible for a different amount. Contact your financial aid office.

Other options

Family Contribution

(As calculated by the institution using information reported on the FAFSA or to your institution.)

\$ X,XXX / yr

- Payment plan offered by the institution
- Military and/or National Service benefits
- Parent PLUS Loan
- Non-Federal private education loan

Customized information

Graduation Rate

Percentage of full-time students who graduate within 6 years



71%

LOW MEDIUM HIGH



Loan Default Rate

Percentage of borrowers entering repayment and defaulting on their loan

5%

9.8%

This institution

National

Median Borrowing

Students at UUS typically borrow \$X,XXX in Federal loans for their undergraduate study. The Federal loan payment over 10 years for this amount is approximately \$X,XXX per month. Your borrowing may be different.

Repaying your loans

To learn about loan repayment choices and work out your Federal Loan monthly payment, go to <http://studentaid.ed.gov/repay-loans/understand/plans>

For more information and next steps:

Your College/University
 Financial Aid Office
 123 Main Street
 Anytown, NY 12345
 Telephone: (123) 456-7890
 E-mail: financialaid@nyschool.edu

Additional Loan Options

In addition to the loans and other options to pay outlined on page one, you are also eligible for the following loans for the 20XX-XX year:

Loans from your state \$ X,XXX
 Loans from your school/institution X,XXX

Be aware that the options to pay for your education outlined on page one, and the additional loan options above, are only for the 20XX-XX year. It is important that you complete a FAFSA each year by the requisite deadline and comply with all other requirements of your financial aid package.

Estimated Costs of Additional Years

In addition to the cost of attending for the first year, the following are the estimated costs of attendance for the additional academic years expected to attain a degree. Note that these are estimates and may be subject to change:

Estimated Total Cost of Year 2 **\$ X,XXX**

Tuition and fees \$ x,xxx
 Housing and meals x,xxx
 Books and supplies x,xxx
 Transportation x,xxx
 Other educational costs x,xxx

Estimated Total Cost of Year 3 **\$ X,XXX**

Tuition and fees \$ x,xxx
 Housing and meals x,xxx
 Books and supplies x,xxx
 Transportation x,xxx
 Other educational costs x,xxx

Estimated Total Cost of Year 4 **\$ X,XXX**

Tuition and fees \$ x,xxx
 Housing and meals x,xxx
 Books and supplies x,xxx
 Transportation x,xxx
 Other educational costs x,xxx

Customized information from UUS

Glossary

Cost of Attendance (COA): The total amount (not including grants and scholarships) that it will cost you to go to school during the 2014–15 school year. COA includes tuition and fees; housing and meals; and allowances for books, supplies, transportation, loan fees, and dependent care. It also includes miscellaneous and personal expenses, such as an allowance for the rental or purchase of a personal computer; costs related to a disability; and reasonable costs for eligible study-abroad programs. For students attending less than half-time, the COA includes tuition and fees; an allowance for books, supplies, and transportation; and dependent care expenses.

Total Grants and Scholarships: Student aid funds that do not have to be repaid. Grants are often need-based, while scholarships are usually merit-based. Occasionally you might have to pay back part or all of a grant if, for example, you withdraw from school before finishing a semester.

Net Costs: An estimate of the actual costs that you or your family will need to pay during the 2014–15 school year to cover education expenses at a particular school. Net costs are determined by taking the institution's cost of attendance and subtracting your grants and scholarships.

Work-Study: A federal student aid program that provides part-time employment while you are enrolled in school to help pay your education expenses.

Loans: Borrowed money that must be repaid with interest. Loans from the federal government typically have a lower interest rate than loans from private lenders. Federal loans, listed from most advantageous to least advantageous, are called Federal Perkins Loans, Direct Subsidized Loans, Direct Unsubsidized Loans, and Direct PLUS Loans. You can find more information about federal loans at StudentAid.gov.

Family Contribution (also referred to as Expected Family Contribution): A number used by a school to calculate how much financial aid you are eligible to receive, if any. It's based on the financial information you provided in your Free Application for Federal Student Aid (FAFSA). It's not the amount of money your family will have to pay for college, nor is it the amount of federal student aid you will receive. The family contribution is reported to you on your Student Aid Report, also known as the SAR.

Graduation Rate: The percentage of students who graduate from an institution. This shows students who began their studies as first-time, full-time degree- or certificate-seeking students and completed their degree or certificate within 150 percent of "normal time." For example, for a four-year school, the graduation rate would be the percentage of students who completed that program within six years or less.

Loan Default Rate: The percentage of student borrowers – undergraduate and graduate – who have failed to repay their federal loans within three years of leaving a particular school. A low loan default rate could mean that the institution's students are earning enough income after leaving school to successfully repay their loans.

Median Borrowing: The amount in federal loans the typical undergraduate student takes out at a particular institution. It also indicates the monthly payments that an average student would pay on that amount using a 10-year repayment plan.

Customized information from UUS

Exhibit G:

College Scorecard Website



Find Schools

Compare schools now

Programs/Degrees



Location



Size



Name



Advanced Search



FIND SCHOOLS

College Scorecard

Filter Results Q Edit Search ★ Compare 0

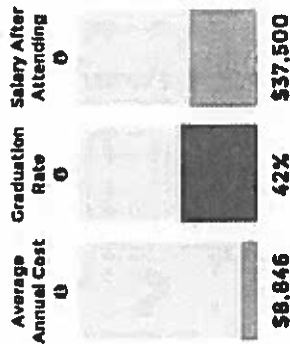
4 Results

SHARE

SORT:

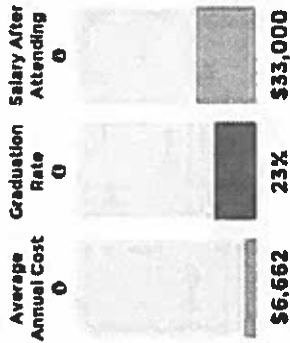
Salary After Attending
Average Annual Cost
Graduation Rate
Name (A to Z)
Size (Small to Large)

University of Louisiana at Monroe ★
Monroe, LA
6,150 undergraduates



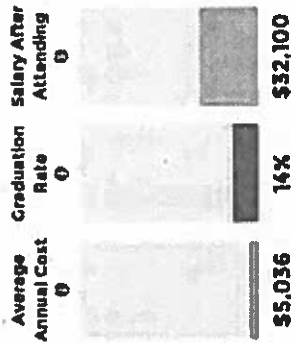
[VIEW MORE DETAILS >](#)

Monroe Community College ★
Rochester, NY
12,456 undergraduates



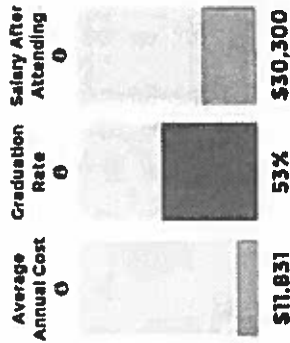
[VIEW MORE DETAILS >](#)

Monroe County Community College ★
Monroe, MI
1,708 undergraduates



[VIEW MORE DETAILS >](#)

Monroe College ★
Bronx, NY
5,776 undergraduates



[VIEW MORE DETAILS >](#)

College Scorecard

[← BACK TO SEARCH RESULTS](#)

SHARE THIS SCHOOL

Monroe College



Bronx, NY

5,776 undergraduate students

monroecollege.edu

2

Year



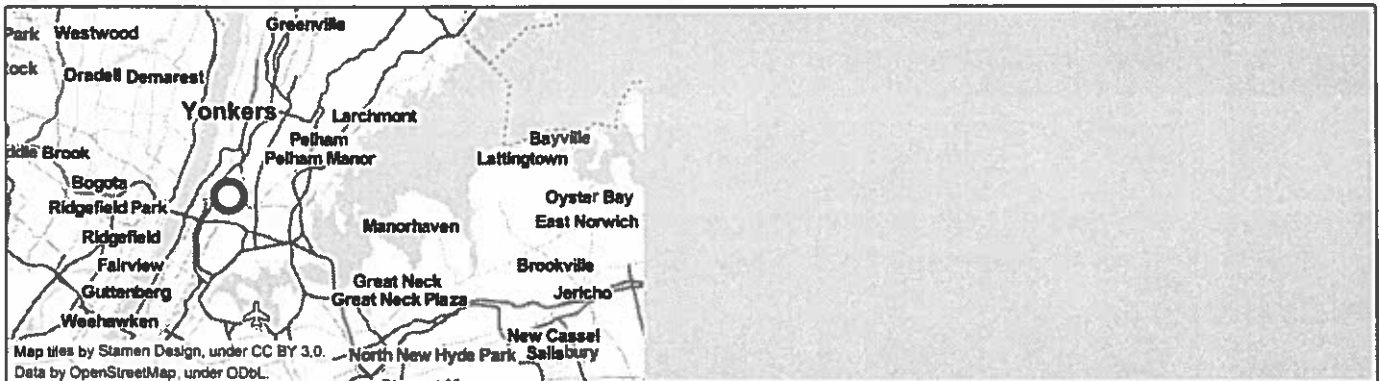
For-Profit



City



Medium



Average Annual Cost



\$11,851

Graduation Rate



53%

Salary After Attending



\$30,300

Costs

Average Annual Cost



\$11,831

CALCULATE YOUR PERSONAL NET PRICE

By Family Income

Depending on the federal, state, or institutional grant aid available, students in your income bracket may pay more or less than the overall average costs.

FAMILY INCOME	AVERAGE COST
\$0-\$30,000	\$10,533
\$30,001-\$48,000	\$11,979
\$48,001-\$75,000	\$15,927
\$75,001-\$110,000	\$16,565
\$110,001+	\$18,796

Financial Aid & Debt

Students Paying Down Their Debt



31%

Get Help Paying for College

Submit a free application for Federal Student Aid. You may be eligible to receive federal grants or loans.

START MY APPLICATION

Students Receiving Federal Loans

77%

At some schools where few students borrow federal loans, the typical undergraduate may leave school with \$0 in debt.

Typical Total Debt After Graduation

\$21,148

For undergraduate borrowers who complete college

Typical Monthly Loan Payment

\$225/mo

Graduation & Retention

Graduation Rate



53%

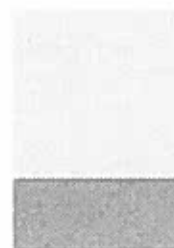
Students Who Return After Their First Year



79%

Earnings After School

Salary After Attending



\$30,300

Student Body



5,776

undergraduate
students

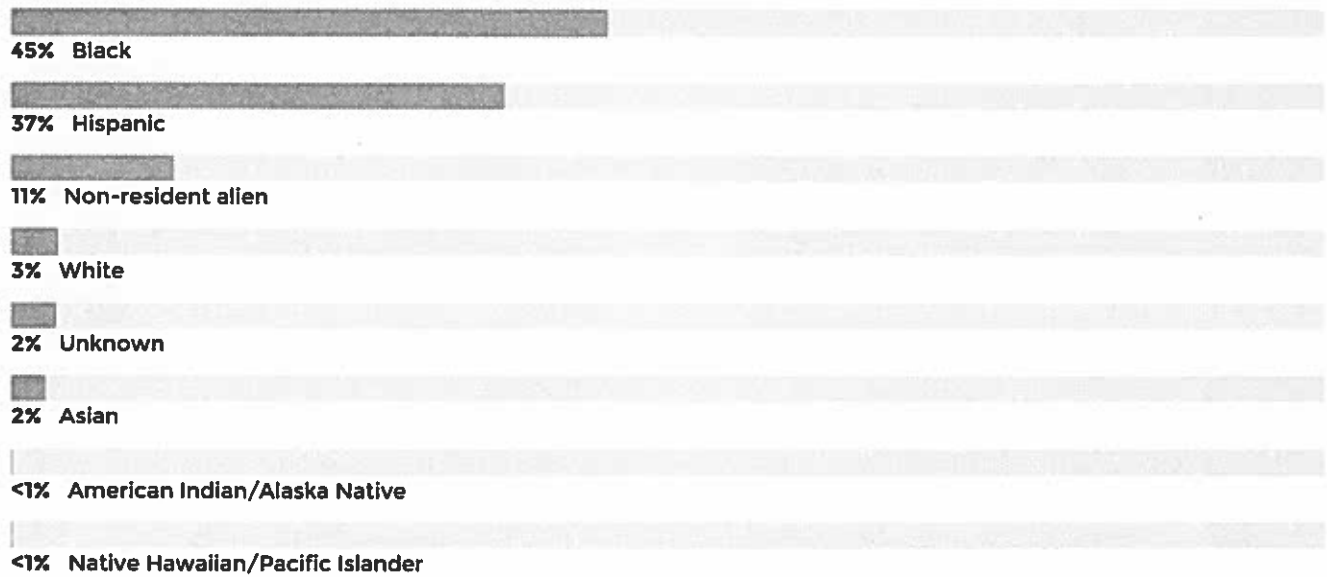
75 % / **25 %**
Full-time / Part-time

Socio-Economic Diversity

73% of students

received an income-based federal Pell grant intended for low-income students.

Race/Ethnicity ⓘ



SAT/ACT Scores

Test Scores ⓘ

Students who were admitted and enrolled typically had standardized test scores in these ranges.

SAT

No Critical Reading data available.

No Math data available.

No Writing data available.

ACT

No data available.

Academic Programs

Most Popular Programs ⓘ

1. Business, Management, Marketing, and Related Support Services (32%)
2. Health Professions and Related Programs (28%)
3. Homeland Security, Law Enforcement, Firefighting and Related Protective Services (27%)
4. Computer and Information Sciences and Support Services (7%)
5. Personal and Culinary Services (5%)

Available Areas of Study ⓘ

Business, Management, Marketing, and Related Support Services

Computer and Information Sciences and Support Services

Education

Health Professions and Related Programs

Homeland Security, Law Enforcement, Firefighting and Related Protective Services

Personal and Culinary Services

Paying For College

[TYPES OF FINANCIAL AID](#)

[CALCULATE YOUR AID](#)

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Powered by College Scorecard Data | v1.15.1

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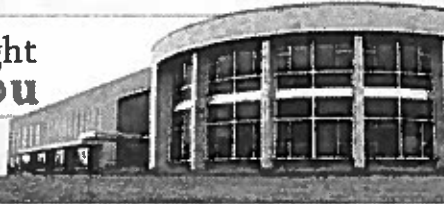
Zipcode latitude and longitude provided by GeoNames under a Creative Commons Attribution 3.0 License

Exhibit H:


College Navigator Website

COLLEGENavigator

Find the right college for you



- » **Refine your search** with *More Search Options* to select additional search criteria.
- » **Build a list of schools** using *My Favorites* for side-by-side comparisons.
- » **Pinpoint school locations** with an *interactive map*.
- » **Export search results** into a *spreadsheet*.
- » **Save your session** including search options and favorites.
- » **Add College Navigator** to your browser search bar

College Affordability and Transparency Center 
Browse lists of institutions with the highest and lowest tuition & fees and net price. [» GO](#)

ADDITIONAL RESOURCES

Preparing for your Education
Find out what you need to do to prepare for education beyond high school. [» GO](#)

Financial Aid
Apply for Federal Student Aid on FAFSA. [» GO](#)

Postsecondary Education Outcome Measures: ED, DOD, and VA
ED, DOD, and VA have identified a set of potential education outcome measures for Veterans and service members. [» GO](#)

Careers
Deciding on a career? Consult the *bls.gov* Occupational Outlook Handbook. [» GO](#)

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- Public Access Policy
- Privacy and Security Policies
- NCES Statistical Standards
- Peer Review Process
- ED Data Inventory
- Fed Stats

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- Sitemap
- Organizational Chart

COLLEGE Navigator

Sort by [Name](#) [City](#) [State](#)

3 Results

[Monroe 2 Orleans BOCES-Center for Workforce Development](#)
Rochester, New York

[Monroe College](#)
Bronx, New York

[Monroe Community College](#)
Rochester, New York



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COLLEGENavigator

Monroe College
 2501 Jerome Avenue, Bronx, New York 10468

General information: (718) 933-6700
Website: www.monroecollege.edu
Type: 4-year, Private for-profit
Awards offered: One but less than two years certificate
 Associate's degree
 Bachelor's degree
 Master's degree

Campus setting: City: Large
Campus housing: Yes
Student population: 8,310 (5,514 undergraduate)
Student-to-faculty ratio: 17 to 1



Loading map.

[View Full Map](#)

IPEDS ID: 193308
 OPE ID: 00479900

GENERAL INFORMATION

Admissions www.monroecollege.edu
Apply Online www.monroecollege.edu
Financial Aid www.monroecollege.edu
Net Price Calculator www.monroecollege.edu
Tuition Policies for Servicemembers and Veterans www.monroecollege.edu
Disability Services www.monroecollege.edu
Athletic Graduation Rates www.monroecollege.edu

Mission Statement
www.monroecollege.edu/aboutmonroe/missionstatement

Special Learning Opportunities
 Teacher certification
 Distance education – undergraduate programs offered
 Distance education – graduate programs offered
 Study abroad
 Weekend/evening college

Student Services
 Remedial services
 Academic/career counseling service
 Employment services for students
 Placement services for completers

Credit Accepted
 Dual credit
 Credit for life experiences
 Advanced placement (AP) credits

Carnegie Classification
 Master's Colleges & Universities: Larger Programs

Religious Affiliation
 Not applicable

Federal Aid
 Eligible students may receive Pell Grants and other federal aid (e.g. Direct Loans).

Undergraduate students enrolled who are formally registered with office of disability services
 3% or less

FACULTY AND GRADUATE ASSISTANTS BY PRIMARY FUNCTION, FALL 2017	FULL TIME	PART TIME
Total faculty	210	274
Instructional	210	274
Research and public service	0	0
Total graduate assistants	-	0
Instructional	-	0
Research	-	0

TUITION, FEES, AND ESTIMATED STUDENT EXPENSES

ESTIMATED EXPENSES FOR FULL-TIME BEGINNING UNDERGRADUATE STUDENTS

• Beginning students are those who are entering postsecondary education for the first time.

ESTIMATED EXPENSES FOR ACADEMIC YEAR	2015-2016	2016-2017	2017-2018	2018-2019	% CHANGE 2017-2018 TO 2018-2019
Tuition and fees	\$14,148	\$14,460	\$14,978	\$15,428	3.0%
Books and supplies	\$900	\$900	\$900	\$900	0.0%
Living arrangement					
On Campus					
Room and board	\$9,400	\$9,770	\$10,130	\$10,850	7.1%
Other	\$3,800	\$3,900	\$4,000	\$4,100	2.5%
Off Campus					
Room and board	\$2,800	\$3,000	\$3,100	\$3,200	3.2%
Other	\$4,100	\$4,200	\$4,300	\$4,400	2.3%
Off Campus with Family					
Other	\$4,100	\$4,200	\$4,300	\$4,400	2.3%
TOTAL EXPENSES	2015-2016	2016-2017	2017-2018	2018-2019	

ESTIMATED EXPENSES FOR ACADEMIC YEAR	2015-2016	2016-2017	2017-2018	2018-2019	% CHANGE 2017-2018 TO 2018-2019
On Campus	\$28,248	\$29,030	\$30,006	\$31,278	4.2%
Off Campus	\$21,748	\$22,560	\$23,276	\$23,928	2.8%
Off Campus with Family	\$19,148	\$19,560	\$20,176	\$20,728	2.7%

MULTIYEAR TUITION CALCULATOR Estimate the total tuition and fee costs over the duration of a typical program.

AVERAGE GRADUATE STUDENT TUITION AND FEES FOR ACADEMIC YEAR	2018-2019
Tuition	\$15,156
Fees	\$1,100

ALTERNATIVE TUITION PLANS

TYPE OF PLAN	OFFERED
Tuition guarantee plan	
Prepaid tuition plan	
Tuition payment plan	X
Other alternative tuition plan	

FINANCIAL AID

UNDERGRADUATE STUDENT FINANCIAL AID, 2016-2017

Full-time Beginning Undergraduate Students

- Beginning students are those who are entering postsecondary education for the first time.

TYPE OF AID	NUMBER RECEIVING AID	PERCENT RECEIVING AID	TOTAL AMOUNT OF AID RECEIVED	AVERAGE AMOUNT OF AID RECEIVED
Any student financial aid ¹	1,022	97%	—	—
Grant or scholarship aid	1,013	96%	\$10,913,191	\$10,773
Federal grants	802	76%	\$4,146,110	\$5,170
Pell grants	802	76%	\$3,945,710	\$4,920
Other federal grants	266	25%	\$200,400	\$748
State/local government grant or scholarships	704	67%	\$2,614,370	\$3,714
Institutional grants or scholarships	958	91%	\$4,152,711	\$4,335
Student loan aid	611	58%	\$2,917,550	\$4,775
Federal student loans	611	58%	\$2,917,550	\$4,775
Other student loans	0	0%	\$0	—

- ¹ Includes students receiving Federal work study aid and aid from other sources not listed above.

All Undergraduate Students

TYPE OF AID	NUMBER RECEIVING AID	PERCENT RECEIVING AID	TOTAL AMOUNT OF AID RECEIVED	AVERAGE AMOUNT OF AID RECEIVED
Grant or scholarship aid ¹	5,187	88%	\$39,058,694	\$7,530
Pell grants	4,110	70%	\$15,134,192	\$3,682
Federal student loans	4,001	68%	\$23,339,306	\$5,833

- ¹ Grant or scholarship aid includes aid received, from the federal government, state or local government, the institution, and other sources known by the institution.
- For more information on Student Financial Assistance Programs or to apply for financial aid via the web, visit [Federal Student Aid](#).

NET PRICE

AVERAGE NET PRICE FOR FULL-TIME BEGINNING STUDENTS

Full-time beginning undergraduate students who were awarded grant or scholarship aid from federal, state or local governments, or the institution.

	2014-2015	2015-2016	2016-2017
Average net price	\$12,389	\$12,032	\$12,280

Full-time beginning undergraduate students who were awarded Title IV aid by income.

AVERAGE NET PRICE BY INCOME	2014-2015	2015-2016	2016-2017
\$0 - \$30,000	\$11,112	\$10,533	\$10,612

AVERAGE NET PRICE BY INCOME	2014-2015	2015-2016	2016-2017
\$30,001 – \$48,000	\$12,428	\$11,979	\$11,834
\$48,001 – \$75,000	\$16,098	\$15,927	\$14,954
\$75,001 – \$110,000	\$18,373	\$18,565	\$18,976
\$110,001 and more	\$19,863	\$18,796	\$18,183

- Average net price is generated by subtracting the average amount of federal, state/local government, or institutional grant or scholarship aid from the total cost of attendance. Total cost of attendance is the sum of published tuition and required fees, books and supplies, and the weighted average for room and board and other expenses.
- Beginning students are those who are entering postsecondary education for the first time.
- Title IV aid to students includes grant aid, work study aid, and loan aid. These include: Federal Pell Grant, Federal Supplemental Educational Opportunity Grant (FSEOG), Academic Competitiveness Grant (ACG), National Science and Mathematics Access to Retain Talent Grant (National SMART Grant), Teacher Education Assistance for College and Higher Education (TEACH) Grant, Federal Work-Study, Federal Perkins Loan, Subsidized Direct or FFEL Stafford Loan, and Unsubsidized Direct or FFEL Stafford Loan. For those Title IV recipients, net price is reported by income category and includes students who received federal aid even if none of that aid was provided in the form of grants. While Title IV status defines the cohort of student for which the data are reported, the definition of net price remains the same – total cost of attendance minus grant aid.

NET PRICE CALCULATOR

An institution's net price calculator allows current and prospective students, families, and other consumers to estimate the net price of attending that institution for a particular student.

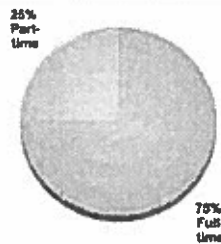
Visit this institution's net price calculator www.monroecollege.edu

ENROLLMENT

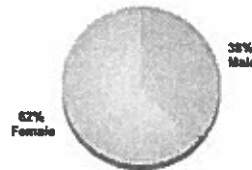
FALL 2017

TOTAL ENROLLMENT	6,310
Undergraduate enrollment	5,514
Undergraduate transfer-in enrollment	1,689
Graduate enrollment	796

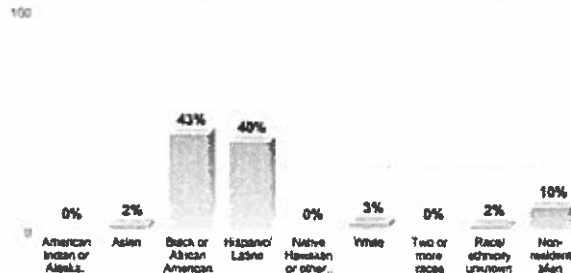
UNDERGRADUATE ATTENDANCE STATUS



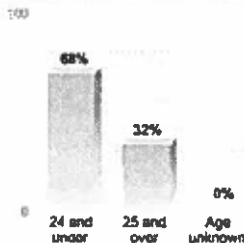
UNDERGRADUATE STUDENT GENDER



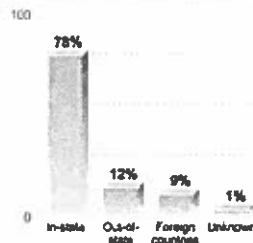
UNDERGRADUATE RACE/ETHNICITY



UNDERGRADUATE STUDENT AGE



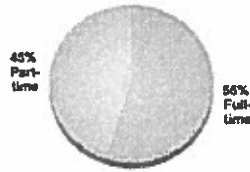
UNDERGRADUATE STUDENT RESIDENCE



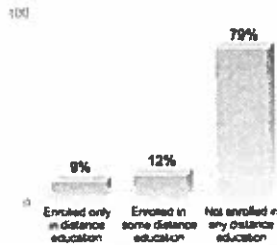
- Residence data are reported for first-time degree/certificate-seeking undergraduates, Fall 2016.

GRADUATE ATTENDANCE STATUS

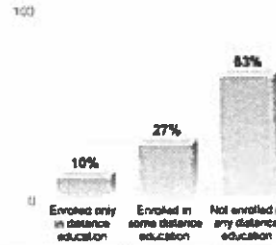
GRADUATE ATTENDANCE STATUS



UNDERGRADUATE DISTANCE EDUCATION STATUS



GRADUATE DISTANCE EDUCATION STATUS



ADMISSIONS

Undergraduate application fee (2018-2019): \$35

UNDERGRADUATE ADMISSIONS FALL 2017

	TOTAL	MALE	FEMALE
Number of applicants	5,046	2,235	2,811
Percent admitted	52%	55%	50%
Percent admitted who enrolled	40%	42%	38%

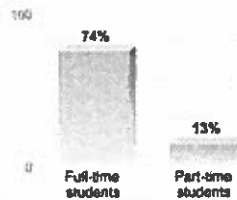
ADMISSIONS CONSIDERATIONS	REQUIRED	RECOMMENDED	CONSIDERED BUT NOT REQUIRED
Secondary school GPA	X		
Secondary school rank	X		
Secondary school record	X		
Completion of college-preparatory program		X	
Recommendations	X		
Formal demonstration of competencies		X	
Admission test scores (SAT/ACT)		X	
TOEFL (Test of English as a Foreign language)	X		

RETENTION AND GRADUATION RATES

FIRST-TO-SECOND YEAR RETENTION RATES

Retention rates measure the percentage of first-time students who are seeking bachelor's degrees who return to the institution to continue their studies the following fall.

RETENTION RATES FOR FIRST-TIME STUDENTS PURSUING BACHELOR'S DEGREES



Percentage of Students Who Began Their Studies in Fall 2016 and Returned in Fall 2017

OVERALL GRADUATION RATE AND TRANSFER-OUT RATE

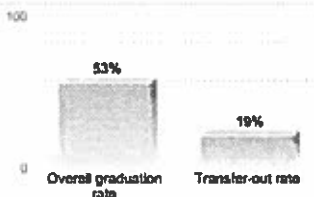
The overall graduation rate is also known as the "Student Right to Know" or IPEDS graduation rate. It tracks the progress of students who began their studies as full-time, first-time degree- or certificate-seeking students to see if they complete a degree or other award such as a certificate within 150% of "normal time" for completing the program in which they are enrolled.

Some institutions also report a transfer-out rate, which is the percentage of the full-time, first-time students who transferred to another institution.

Note that not all students at the institution are tracked for these rates. Students who have already attended another postsecondary institution, or who began their studies on a part-time basis, are not tracked for this rate. At this institution, 32 percent of entering students were counted as "full-time, first-time" in 2017.

OVERALL GRADUATION AND TRANSFER-OUT RATES FOR STUDENTS WHO BEGAN THEIR STUDIES IN FALL 2011

OVERALL GRADUATION AND TRANSFER-OUT RATES FOR STUDENTS WHO BEGAN THEIR STUDIES IN FALL 2011



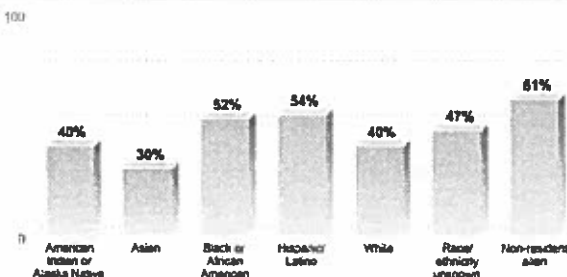
Percentage of Full-time, First-Time Students Who Graduated or Transferred Out Within 150% of "Normal Time" to Completion for Their Program

OVERALL GRADUATION RATE BY GENDER



Percentage of Full-time, First-time Students Who Began Their Studies in Fall 2011 and Graduated Within 150% of "Normal Time" to Completion for Their Program

OVERALL GRADUATION RATE BY RACE/ETHNICITY

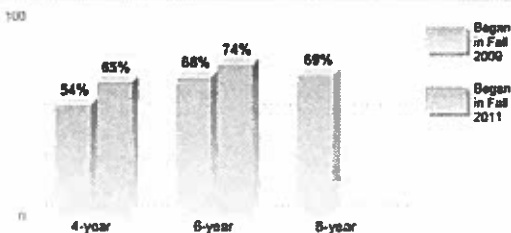


Percentage of Full-time, First-time Students Who Began Their Studies in Fall 2011 and Graduated Within 150% of "Normal Time" to Completion for Their Program

BACHELOR'S DEGREE GRADUATION RATES

Bachelor's degree graduation rates measure the percentage of entering students beginning their studies full-time and seeking a bachelor's degree, who earn a bachelor's degree within a specified amount of time. At this institution, 34 percent of the overall cohort were pursuing bachelor's degrees in 2011.

GRADUATION RATES FOR STUDENTS PURSUING BACHELOR'S DEGREES




Percentage of Full-time, First-time Students Who Graduated in the Specified Amount of Time

OUTCOME MEASURES


- Alternative measures of student success are reported by degree-granting institutions to describe the outcomes of degree/certificate-seeking undergraduate students who are not only first-time, full-time students, but also part-time attending and non-first-time (transfer-in) students. These measures are also reported for students receiving Pell grants and those students that do not receive Pell grants. These measures provide the 8-year award-completion rates by award level (certificates, associate's and bachelor degrees) after entering an institution. For students who did not earn any undergraduate award after 8-years of entry, the enrollment statuses are reported as either still enrolled at the institution, or subsequently transferred out of the institution. Unlike the Graduation Rates data, all reporting institutions must report on their transfer outs regardless if the institution has a mission that provides substantial transfer preparation.

FULL-TIME, FIRST-TIME DEGREE/CERTIFICATE-SEEKING UNDERGRADUATES WHO ENTERED IN 2009-10


FULL-TIME, FIRST-TIME DEGREE/CERTIFICATE-SEEKING UNDERGRADUATES WHO ENTERED IN 2009-10

 Award and enrollment rate:
 (All students)
 Received a certificate: 0%
 Received an Associate's degree: 27%
 Received a Bachelor's degree: 23%
 Enrolled at same institution: 1%
 Enrolled at different institution: 15%
 [PELL]
 Received a certificate: 0%
 Received an Associate's degree: 27%
 Received a Bachelor's degree: 22%
 Enrolled at same institution: 1%
 Enrolled at different institution: 15%


PART-TIME, FIRST-TIME DEGREE/CERTIFICATE-SEEKING UNDERGRADUATES WHO ENTERED IN 2009-10

 Award and enrollment rate:
 (All students)
 Received a certificate: 0%
 Received an Associate's degree: 18%
 Received a Bachelor's degree: 15%
 Enrolled at same institution: 0%
 Enrolled at different institution: 28%
 [PELL]
 Received a certificate: 0%
 Received an Associate's degree: 21%
 Received a Bachelor's degree: 10%
 Enrolled at same institution: 0%
 Enrolled at different institution: 17%

FULL-TIME, NON-FIRST-TIME DEGREE/CERTIFICATE-SEEKING UNDERGRADUATES WHO ENTERED IN 2009-10

 Award and enrollment rate:
 (All students)
 Received a certificate: 0%
 Received an Associate's degree: 20%
 Received a Bachelor's degree: 46%
 Enrolled at same institution: 0%
 Enrolled at different institution: 14%
 [PELL]
 Received a certificate: 0%
 Received an Associate's degree: 21%
 Received a Bachelor's degree: 43%
 Enrolled at same institution: 0%
 Enrolled at different institution: 14%

PART-TIME, NON-FIRST-TIME DEGREE/CERTIFICATE-SEEKING UNDERGRADUATES WHO ENTERED IN 2009-10

 Award and enrollment rate:
 (All students)
 Received a certificate: 0%
 Received an Associate's degree: 17%
 Received a Bachelor's degree: 43%
 Enrolled at same institution: 1%
 Enrolled at different institution: 17%
 [PELL]
 Received a certificate: 0%
 Received an Associate's degree: 16%
 Received a Bachelor's degree: 42%
 Enrolled at same institution: 0%
 Enrolled at different institution: 19%

PROGRAMS/MAJORS

COMPLETIONS (NUMBER OF AWARDS CONFERRED) 2017-2018

Completions are the number of awards conferred by program and award level.

PROGRAM	ASSOCIATE	BACHELOR	MASTER	UNDERGRADUATE CERTIFICATE
Business, Management, Marketing, and Related Support Services				
Accounting	-	81	-	-

- Data shown are for first majors.
- (-) Program is not offered at this award level.
- ^d identifies programs and award levels that are offered as a distance education program. For program category totals, ^d is shown if one or more programs in the category are offered as a distance education program.

▼ PROGRAM	ASSOCIATE	BACHELOR	MASTER	UNDERGRADUATE CERTIFICATE
Accounting and Related Services, Other	-	-	21 ^d	-
Accounting Technology/Technician and Bookkeeping	51	-	-	-
Business Administration and Management, General	177 ^d	188 ^d	283 ^d	1
Business/Commerce, General	-	0 ^d	-	-
Hospitality Administration/Management, General	48 ^d	119 ^d	5 ^d	-
Category total	276 ^d	388 ^d	309 ^d	1
Computer and Information Sciences and Support Services				
Computer and Information Sciences, General	78 ^d	75 ^d	-	-
Computer and Information Systems Security/Information Assurance	-	1 ^d	-	-
Computer Science	-	-	82 ^d	-
Information Technology	2 ^d	11 ^d	-	-
Category total	80 ^d	87 ^d	82 ^d	-
Education				
Early Childhood Education and Teaching	-	17	-	-
Category total	-	17	-	-
Health Professions and Related Programs				
Diagnostic Medical Sonography/Sonographer and Ultrasound Technician	28	-	-	-
Health Services Administration	-	167 ^d	-	-
Licensed Practical/Vocational Nurse Training	-	-	-	42
Medical Office Management/Administration	108 ^d	-	-	-
Medical/Clinical Assistant	65	-	-	-
Pharmacy Technician/Assistant	1	-	-	-
Public Health, General	-	77 ^d	71 ^d	-
Registered Nursing/Registered Nurse	46	12	-	-
Category total	247 ^d	256 ^d	71 ^d	42
Homeland Security, Law Enforcement, Firefighting and Related Protective Services				
Criminal Justice/Law Enforcement Administration	-	244 ^d	34 ^d	-
Criminal Justice/Police Science	218 ^d	-	-	-
Category total	218 ^d	244 ^d	34 ^d	-
Parks, Recreation, Leisure, and Fitness Studies				
Sport and Fitness Administration/Management	32	5	-	-
Category total	32	5	-	-
Personal and Culinary Services				
Baking and Pastry Arts/Baker/Pastry Chef	24	-	-	-
Culinary Arts/Chef Training	58	-	-	-
Category total	82	-	-	-
Public Administration and Social Service Professions				
Human Services, General	82 ^d	21 ^d	-	-
Category total	82 ^d	21 ^d	-	-
Grand total	1,017	1,018	486	43

- Data shown are for first majors.
- (-) Program is not offered at this award level.
- ^d identifies programs and award levels that are offered as a distance education program. For program category totals, ^d is shown if one or more programs in the category are offered as a distance education program.

SERVICEMEMBERS AND VETERANS

Services and Programs for Servicemembers and Veterans
 Yellow Ribbon Program (officially known as Post-9/11 GI Bill, Yellow Ribbon Program)
 Credit for military training
 Dedicated point of contact for support services for veterans, military servicemembers, and their families
 Recognized student veteran organization
 Member of Servicemembers Opportunity Colleges

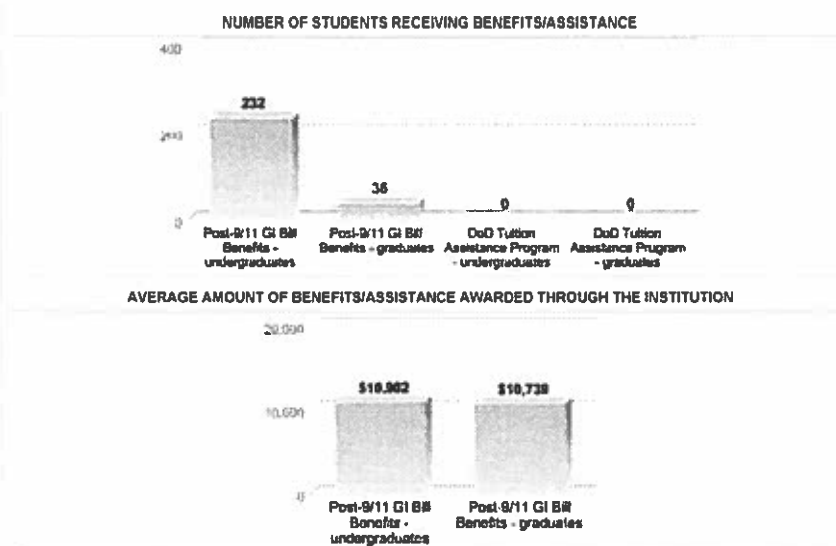
Tuition policies specifically for Veterans and Servicemembers

www.monroecollege.edu

EDUCATIONAL BENEFITS, 2016-2017

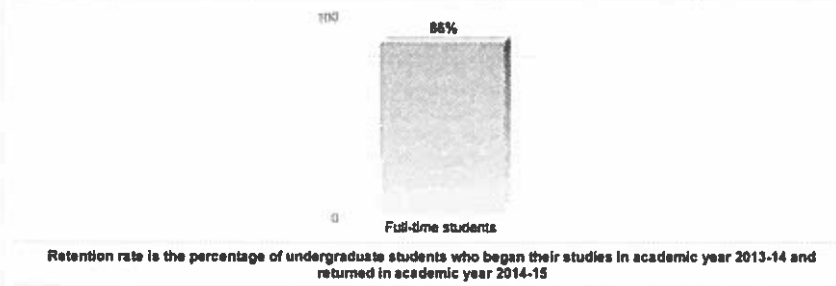
NUMBER OF STUDENTS RECEIVING BENEFITS/ASSISTANCE

PROGRAM	ASSOCIATE	BACHELOR	MASTER	UNDERGRADUATE CERTIFICATE



RETENTION RATES

RETENTION RATES FOR FIRST-TIME, DEGREE/CERTIFICATE EDUCATION BENEFIT USERS PURSUING BACHELOR'S DEGREES



VARSITY ATHLETIC TEAMS

2016-2017 VARSITY ATHLETES

NJCAA DIVISION I	MEN	WOMEN
Baseball	82	-
Basketball	29	9
Football	64	-
Soccer	60	37
Softball	-	16
Track and Field, Indoor	32	14
Track and Field, Outdoor	27	14
Track and Field, X-Country	8	6
Volleyball	-	15

• For further information on varsity athletic teams please visit the [OPE Athletics Home Page](#).

ACCREDITATION

INSTITUTIONAL ACCREDITATION

ACCREDITOR	STATUS	NEXT REVIEW DATE
Middle States Commission on Higher Education	Accredited since (10/01/1990)	11/30/2020

PROGRAMMATIC ACCREDITATION

ACCREDITOR / PROGRAM	STATUS	NEXT REVIEW DATE
Accreditation Commission for Education in Nursing, Inc. - May 6, 2013 Formerly: National League for Nursing Accrediting Commission		
Nursing (ADNUR) - Associate degree programs	Accredited since (03/07/2018)	06/30/2023
Nursing (NUR) - Baccalaureate program	Accredited since (03/07/2018)	06/30/2023
Nursing (PNUR) - Practical nursing programs	Accredited since (03/01/2017)	06/30/2022
New York State Board of Regents, State Education Department, Office of the Professions (Nursing Education)		
Licensed Practical Nursing Programs	Accredited since (10/01/2006)	TBD

ACCREDITOR / PROGRAM	STATUS	NEXT REVIEW DATE
RN Associate Degree Programs	Accredited since (07/01/2006)	TBD
RN Baccalaureate Degree Programs	Accredited since (08/01/2013)	TBD

- (!) Estimated date
- For more detailed information on accreditation for this institution, including all actions and justification for actions, visit OPE's Database of Accredited Postsecondary Institutions and Programs: ope.ed.gov/dapip/#institution-profile.131201.

CAMPUS SECURITY

2016 CRIME STATISTICS

ARRESTS - ON-CAMPUS	2014	2015	2016
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	0	0	0
CRIMINAL OFFENSES - ON-CAMPUS	2014	2015	2016
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Robbery	1	0	0
Aggravated assault	0	0	0
Burglary	0	1	0
Motor vehicle theft	0	0	0
Arson	0	0	0

- The crime data reported by the institutions have not been subjected to independent verification by the U.S. Department of Education. Therefore, the Department cannot vouch for the accuracy of the data reported here.
- These data do not include incidents that: (a) took place off campus on public property immediately adjacent to and accessible from the Campus; (b) took place on a noncampus building or property owned or controlled by a student organization that is officially recognized by the institution; or (c) incidents at buildings/property owned or controlled by an institution but is not contiguous to the institution. For further information, see <http://ope.ed.gov/security>.

COHORT DEFAULT RATES

THREE-YEAR OFFICIAL COHORT DEFAULT RATES

FISCAL YEAR	2015	2014	2013
Default rate	3.9%	4.8%	4.6%
Number in default	120	142	152
Number in repayment	3,068	3,081	3,268

- For further information on default rates please visit the [Cohort Default Rate Home Page](#). This school's six-digit OPE ID is 004799.

AID PROGRAMS

- Federal Direct Loan (Direct Loan)

[English](#) | [Español](#) | [About](#) | [Search Plug-in](#)

[College Navigator Home](#) | [College Costs](#) | [Prepare](#) | [Financial Aid](#) | [Careers](#)

IES NCES National Center for Education Statistics

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 - [Data Training](#)
 - [School Search](#)
 - [News](#)
 - [Kids Zone](#)
- [NCSER](#)

IES Policies and Standards

- [Public Access Policy](#)
- [Privacy and Security Policies](#)
- [NCES Statistical Standards](#)
- [Peer Review Process](#)
- [ED Data Inventory](#)
- [Fed Stats](#)

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U.S. Department of Education

Additional Resources

- [ERIC](#)
- [Sitemap](#)
- [Organizational Chart](#)

Exhibit I:

**College Accountability and Transparency Center (CATC)
Website**



U.S. Department of Education

College Affordability and Transparency Center [?]



Welcome to the College Affordability and Transparency Center. Click here to find information about how much it costs students to attend different colleges, how fast those costs are going up, and information related to why costs are going up.

College Scorecard

College Scorecards make it easier for you to search for a college that is a good fit for you. You can use the College Scorecard to find out more about a college's affordability and value so you can make more informed decisions about which college to attend.

[Enter](#)

Net Price Calculator Center

Here you will find links to colleges' net price calculators. Net price calculators help you estimate how much colleges cost after scholarships and grants.

[Enter](#)

College Navigator

Here you can search for and compare colleges on all sorts of criteria including costs, majors offered, size of school, campus safety, and graduation rates.

[Enter](#)

College Affordability and Transparency List

Here you will find information about tuition and net prices at postsecondary institutions. The site highlights institutions with high and low tuition and fees as well as high and low net prices (the price of attendance minus grant and scholarship aid). It also shows institutions where tuition and fees and net prices are increasing at the highest rates.

[Enter](#)

90/10 Information

Here you will find a list of for-profit (proprietary) postsecondary institutions that receive more than 90 percent of their revenues from Title IV Federal Student Aid.

[Enter](#)


State Spending Charts

Here you will find summary information on changes in state appropriations for postsecondary education, state aid for students, and tuition and fees.

[Enter](#)

Financial Aid Shopping Sheet:

For more information, go to: <http://www2.ed.gov/policy/highered/guid/sectletter/120724.html>



U.S. Department of Education
College Affordability and Transparency Center

Which colleges have the highest and lowest tuition and net prices?

Use the options below to generate a report on the highest (top 5%) and lowest (bottom 10%) academic year charges for each sector. Tuition reports include tuition and required fees. Net price is cost of attendance minus grant and scholarship aid. Data are reported by institutions and are for full-time beginning students.

1 Choose Sector

- 4-year or above, public
- 4-year or above, private not-for-profit
- 4-year or above, private for-profit
- 2-year, public
- 2-year, private not-for-profit
- 2-year, private for-profit
- Less-than-2-year, public
- Less-than-2-year, private not-for-profit
- Less-than-2-year, private for-profit

2 Choose Report Type


- Highest Tuition
- Highest Net Prices
- Lowest Tuition
- Lowest Net Prices

3 Generate Report


How much do career and vocational programs cost?

Begin typing the name of a program (for example, "Cosmetology") to generate a list of institutions that offer the program and the tuition and net prices they charge for the entire program. Data are reported by institutions on their largest program and are for full-time beginning undergraduate students. Not all institutions offering these vocational programs are included on this list. For a full list of institutions offering a program, go to [College Navigator](#) and search by program/major.

Select a Program



Apply for
Financial Aid



Search for
Colleges

How fast are college costs going up?

Select a type of institution below to see which ones have the highest increases in tuition and fees and net prices (cost of attendance after grant and scholarship aid). Data are for full-time beginning undergraduate students.

Sector:

National Average Percent Change: 5.8

Tuition	Institution	State	2014-15	2016-17	% Increase
	Pueblo Community College	CO	\$3,672	\$7,121	94
	The University of Texas Rio Grande Valley	TX	\$5,173	\$7,438	44
	Northern Marianas College	MP	\$2,820	\$4,038	43
	Southern University and A & M College	LA	\$6,534	\$9,332	43
	University of Alaska Southeast	AK	\$5,901	\$8,415	43
	University of Louisiana at Lafayette	LA	\$6,872	\$9,450	38
	Texas A & M University-Commerce	TX	\$5,892	\$7,750	32
	Delaware Technical Community College-Terry	DE	\$3,530	\$4,607	31
	Middle Georgia State University	GA	\$3,007	\$3,890	29

SOURCE: U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS), Fall 2016, Institutional Characteristics component and Winter 2016-17, Student Financial Aid component.

National Average Percent Change: 5.9

Net Price	Institution	State	2013-14	2015-16	% Increase
	CUNY Lehman College	NY	\$2,327	\$6,159	165
	University of North Texas at Dallas	TX	\$2,867	\$6,912	141
	California State University-Dominguez Hills	CA	\$1,640	\$3,297	101
	New Jersey City University	NJ	\$6,931	\$11,854	71
	Navajo Technical University	NM	\$2,939	\$4,933	68
	Palm Beach State College	FL	\$2,467	\$4,134	68
	Mississippi Valley State University	MS	\$7,003	\$11,591	66
	University of Alaska Anchorage	AK	\$7,715	\$11,860	54

The University of Texas Rio Grande Valley

TX

\$3,006

\$4,432

47

Note: Average net price is generated by subtracting the average amount of federal, state/local government, or institutional grant or scholarship aid from the total cost of attendance. Total cost of attendance is the sum of published tuition and required fees (lower of in-district or in-state, where applicable), books and supplies, and the weighted average for room and board and other expenses.

Average net price is for full-time beginning undergraduate students who received grant or scholarship aid from federal, state or local governments, or the institution.

SOURCE: U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS), Fall 2016, Institutional Characteristics component and

To download the data file of all Title IV institutions used to generate the 2016 College Affordability and Transparency lists, [click here](#).

For archived College Affordability and Transparency list data, [click here](#).

For more information on the data used in these lists, go to the [IPEDS website](#).

What are some reasons for the increase in college costs?

Institutions claimed on the CAAT, highest portion of net price list are required by the Higher Education Act of 1965 to complete the College Affordability and Transparency Form (CATEF) to explain why costs have gone up at the school and how the rising costs could be addressed. The CATEF Summary Guide to College Costs summarizes institutions' responses to their inclusion on the lists.

For Summary Reports of responses from institutions on CAAT lists, [click here](#).

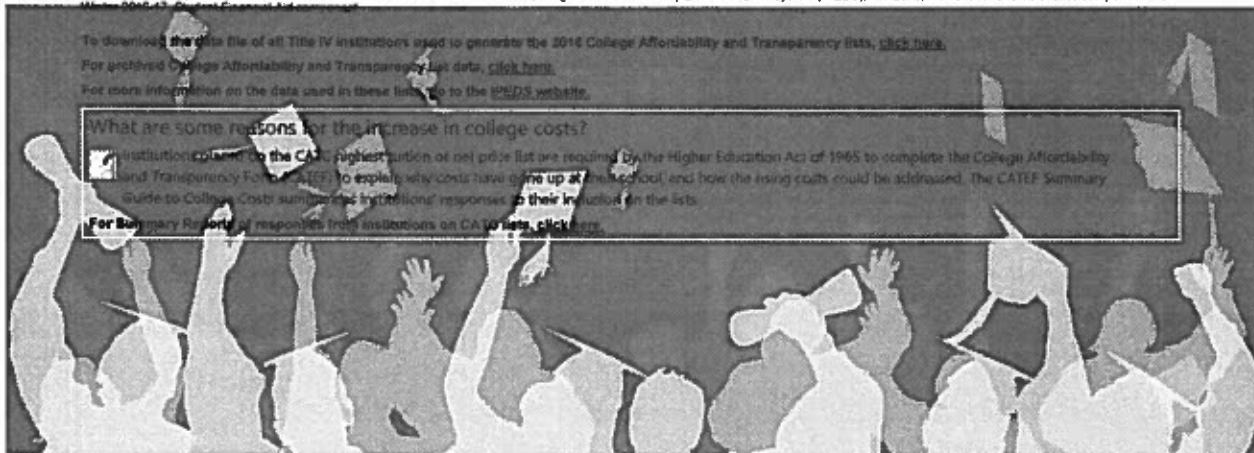


Exhibit J:

**Information Required to be Disclosed to
Prospective & Current Students by NYSED Regulations
("Part 53 Rules")**

Disclosures Required by New York State Education Department "Part 53" Regulations

**NYSED "Part 53" Regulations
8 NYCRR 53.3**

<p>Financial assistance available</p>	<p>Information regarding financial assistance available to students for which students must apply – including application procedures, descriptions of forms and their preparation, method of selection of recipients and allocation of awards, award schedule, and rights and responsibilities of recipients – for the following financial aid programs:</p> <ul style="list-style-type: none"> • Federal <ul style="list-style-type: none"> ○ Basic Educational Opportunity Grants (BEOG) program ○ Supplemental Educational Opportunity Grants (SEOG) program ○ National Direct Student Loans (NDSL) program ○ College Work Study program ○ Social Security payments to children of deceased or disabled parents ○ Federal aid to Native Americans ○ Veterans Administration educational benefits ○ Any other federal program which accounts for 10% or more of the total federal student aid administered by the institution • State <ul style="list-style-type: none"> ○ Tuition Assistance Program (TAP) ○ Regents college scholarships ○ Regents nursing scholarships ○ Regents awards for children of deceased or disabled veterans ○ State assistance for Native Americans ○ Guaranteed student loans ○ Special programs for economically and educationally disadvantaged students, including the Higher Education Opportunity Program (HEOP), the Education Opportunity Program (EOP), the Search for Education and Elevation through Knowledge (SEEK) program, the College Discovery (CD) program, and the Work Incentive (WIN) program ○ Any other NYS program which accounts for 10% or more of the total State student aid administered by the institution • Local <ul style="list-style-type: none"> ○ Grants, scholarships, waivers, deferrals, loans (including small emergency loans), and work-study arrangements which are administered by the institution
<p>Cost of attendance</p>	<p>Information regarding cost of attending the institution for each of the following cost categories:</p> <ul style="list-style-type: none"> • Tuition and fees

Disclosures Required by New York State Education Department “Part 53” Regulations

	<ul style="list-style-type: none"> ○ Information on all assessments against students for direct educational and general purposes, including course fees, lab fees, mandatory fees, and non-mandatory fees ● Books and supplies <ul style="list-style-type: none"> ○ Estimated costs of textbooks, books, manuals, consumable supplies, and equipment which a student should possess as necessary for instruction ○ Individual academic programs with costs varying by more than 25% from the institution’s average must be detailed separately ● Room and board <ul style="list-style-type: none"> ○ Costs of housing and food services operated by the institution, where available ○ Estimated costs of similar accommodations available in the community ● Other living expenses <ul style="list-style-type: none"> ○ Estimated cost of personal expenses applicable to students devoting primary efforts to pursuit of educational objectives
<p>Refund policy</p>	<p>Institutional policy concerning refunds due to failure of students to complete an academic term for any reason, including the percentage or amount of tuition, fees, institution-operated room and board, and other assessments to be refunded after specified elapsed periods of time</p>
<p>Instructional programs</p>	<p>Accurate descriptions of all instructional programs, including:</p> <ul style="list-style-type: none"> ● Degree, certificate, and diploma programs <ul style="list-style-type: none"> ○ A full list of degree, certificate, and diploma programs, which must be consistent with NYSED’s Inventory of Registered Programs, including the official approved program title, degree, HEGIS code number, and a statement that enrollment in programs other than those which are registered or approved may jeopardize student eligibility for certain student aid ● Program descriptions <ul style="list-style-type: none"> ○ Each degree, certificate, or diploma program must be described in terms of both prerequisites and requirements for completion ● Academic year <ul style="list-style-type: none"> ○ Academic year in which each course is expected to be offered ● Program-related facilities <ul style="list-style-type: none"> ○ General description of instructional, laboratory, and other facilities directly related to each academic program, plus general information describing the total physical plant, including narrative and/or statistical information regarding the library collections and facilities, student unions, and institution-operated eating places ● Faculty and other instructional personnel

Disclosures Required by New York State Education Department "Part 53" Regulations

	<ul style="list-style-type: none">○ Regular resident faculty listed by rank and the department/major/program area to which each faculty member is assigned, including the highest degree held by each faculty member and the institution which granted such degree○ An estimated number of adjunct faculty and teaching assistants in each department/major/program area● Student retention<ul style="list-style-type: none">○ Information on student retention and graduation rates based on a summary of the most recent cohort survival statistics (e.g., percentages of those students enrolled at the end of the spring term, percentages of freshman classes that graduate in four, five, and six years) available to the institution, at least for full-time undergraduate students, as computed in a manner consistent with federal IPEDS reporting methods● Placement of graduates<ul style="list-style-type: none">○ Summaries of job placement and graduate school placement statistics compiled by the institution, where available
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Exhibit K:

**Information Required to be Disclosed to
Prospective & Current Students by Federal Regulations
("Gainful Employment")**

Disclosures Required by Federal “Gainful Employment” Regulations

Federal “Gainful Employment” Regulations 34 C.F.R. § 668.412 (a), (b), (c)	
Applicability	<ul style="list-style-type: none"> • Public and private not-for-profit institutions: Title IV-eligible non-degree programs (e.g., certificate and diploma programs). • For-profit institutions: All Title IV-eligible instructional programs, degree and non-degree.
Effective date	The federal “Gainful Employment” (GE) regulations were first finalized in October 2014, with the most recent version requiring compliance by April 6, 2018. The GE regulations remain in effect today.
How disclosures must be made	The information below must be provided using a uniform disclosure template provided by the U.S. Department of Education. Information must be disclosed for each academic program, and must be provided to all enrolled and prospective students.
Program information	<ul style="list-style-type: none"> ✓ Program classification ✓ Institution’s name for the program ✓ Program’s credential level ✓ Primary occupations for which program prepares students
Cost	<ul style="list-style-type: none"> ✓ In-state tuition and fees charged by the institution for completing the program within normal time ✓ Out-of-state tuition and fees charged by the institution for completing the program within normal time ✓ Typical costs for books and supplies for completing the program within normal time ✓ Any additional fees or expenses ✓ The URL for other program cost information available on the institution’s website
Completion	<ul style="list-style-type: none"> ✓ Normal time to complete the program ✓ Total number of students who first enrolled in the program during the prior academic year ✓ Of the number of students who enrolled the prior year, the number of students who completed within normal time
Debt	<ul style="list-style-type: none"> ✓ Median loan debt incurred by Title IV students who completed the program in the prior year ✓ The applicable interest rate used by U.S. Department of Education to amortize the median loan debt for the program (calculated by U.S.D.E. based on credential level)
Performance	<ul style="list-style-type: none"> ✓ The program’s most recently issued debt-to-earnings rate measure determination
Employment outcomes	<ul style="list-style-type: none"> ✓ Job placement rate for students completing the program, as reported to the institution’s State or accrediting agency (if it requires such information) and calculated using such State or accreditor’s prescribed methodology

Disclosures Required by Federal "Gainful Employment" Regulations

Licensure requirements	✓ For each state within an institution's metropolitan area, the states that require licensure for the program's target occupation (if any) and whether the program satisfies all educational prerequisites for such licensed occupations in each state
Other	✓ The URL to the U.S. Department of Education's College Navigator website

Exhibit L:

**APC Member Colleges' Publicly Available Data
Published on College Scorecard**

Data available from College Scorecard

APC Member Colleges	2017 Graduation Rate	Repayment Rate	Average Annual Cost	% of Students Receiving Loans	Average Debt	Salary 10 Years After Attending
Berkeley College	29%	30%	27,533	70%	29,165	40,800
Bryant & Stratton - Albany	30%	19%	13,518	84%	23,055	24,100
Bryant & Stratton - Online	24%	19%	13,627	83%	23,055	24,100
Bryant & Stratton - Southtowns	38%	19%	12,689	46%	23,055	24,100
Bryant & Stratton - Syr. North	34%	19%	11,808	87%	23,055	24,100
Bryant & Stratton - Greece	28%	19%	12,548	82%	23,055	24,100
Bryant & Stratton - Henrietta	35%	19%	14,879	83%	23,055	24,100
Bryant & Stratton - Syracuse	24%	19%	12,357	81%	23,055	24,100
Byrant & Stratton - Amherst	36%	19%	11,931	83%	23,055	24,100
Bryant & Stratton - Buffalo	15%	19%	11,384	66%	23,055	24,100
Elmira Business Institute	34%	23%	45,440	97%	24,792	21,200
Five Towns College	35%	52%	18,328	72%	25,676	34,400
Island Drafting & Technical Institute	84%	63%	21,160	87%	12,382	43,000
Jamestown Business College	53%	37%	8,238	43%	14,208	26,100
LIM College	55%	62%	35,879	61%	26,000	46,000
Monroe College - both campuses	53%	31%	11,831	77%	21,148	30,300
Plaza College	63%	31%	13,348	80%	14,842	23,500
School of Visual Arts	66%	67%	40,091	40%	27,000	41,800
Swedish Institute	92%	45%	18,541	86%	20,709	30,300
The College of Westchester	41%	34%	20,743	85%	23,722	37,400

Exhibit M:

**Additional Publicly Available Data Pertaining to
APC Member Colleges**

College	Revenues:*		
	Total Revenue	Tuition & Fees	Revenue - Other Sources
Berkeley College	100,011,327	96,996,525	3,014,802
Bryant & Stratton - All	104,846,536	91,603,858	13,242,678
Elmira Business Institute	5,810,256	5,592,077	218,179
Five Towns College	13,296,117	7,423,749	5,872,368
Island Drafting & Technical Institute	1,777,415	1,699,327	78,088
Jamestown Business College	4,253,122	4,149,884	103,238
LIM College	52,875,889	51,605,253	1,270,636
Monroe College	105,873,248	105,456,374	416,874
Plaza College	14,104,000	12,982,000	1,122,000
School of Visual Arts	157,163,218	153,137,028	4,026,190
Swedish Institute	14,914,988	8,884,984	6,030,004
The College of Westchester	17,908,979	17,752,455	156,524

* Data pulled from IPEDS

Senator Stavisky has also requested financial data related to expenses, for instance, salary data for administrative staff and faculty, rent and utilities, and advertising. APC member colleges supply audited financial statements to NYSED every year with this information for review.

College	Graduation Rates*				Enrollment - 2017*					Average Debt**	
	Overall Graduation Rate	First Time Full Time Bachelor Degrees	Full Time in 6 Years Bachelor Degrees	Full Time in 8 Years Bachelor Degrees	Student Population	% Part Time	% Full Time	% Female	% Male		# of Veterans receiving GI Benefits
Berkeley College	38%	29%	37%	29%	3,635	24%	76%	65%	35%	449	29,165
Bryant & Stratton - All	25%	0%	0%	0%	2,660	34%	66%	76%	24%	100	23,055
Elmira Business Institute	26%	0%	0%	0%	205	31%	69%	81%	19%	6	24,792
Five Towns College	31%	28%	31%	32%	670	6%	94%	32%	68%	9	25,676
Island Drafting & Technical Institute	93%	0%	0%	0%	90	0%	100%	10%	90%	2	12,382
Jamestown Business College	44%	0%	0%	0%	323	3%	97%	71%	29%	3	14,208
LIM College	47%	33%	46%	53%	1,713	9%	91%	90%	10%	14	26,000
Monroe College	53%	65%	74%	69%	6,310	25%	75%	62%	38%	232	21,148
Plaza College	63%	0%	0%	0%	909	0%	100%	80%	20%	0	14,842
School of Visual Arts	64%	55%	64%	70%	4,393	7%	93%	69%	31%	41	27,000
Swedish Institute	49%	0%	0%	0%	733	13%	87%	74%	26%	24	20,709
The College of Westchester	48%	30%	30%	34%	916	21%	79%	64%	36%	12	23,722

* This data pulled from College Navigator - <https://nces.ed.gov/collegenavigator/>

** Average student loan debt pulled from College Scorecard - <https://collegescorecard.ed.gov/>

Senator Stavisky also requested the job placement rate related to career within one year. However, there currently is no uniform definition of how colleges should calculate the employability of their alumni or any general requirement that they do so, other than what might be mandated by specialized accreditors – typically for the licensed professions. The U.S. Department of Education has been attempting unsuccessfully for many years to come up with a consistent and uniform way to require that colleges calculate an employment or job “placement” rate. In this vacuum, colleges and universities from all sectors of higher education have come up with their own ways of calculating employment rates that are all over the map – and some, mostly in the proprietary college sector, have been scrutinized for misrepresenting (in one form or another) that information to the public.

Percent distribution of core expenses, by function*				
See below for a brief explanation of each category of expenditures.				
College	College Websites:	Instruction	Academic Support	Student Services
Berkeley College	www.berkeleycollege.edu	35%	7%	18%
Bryant & Stratton - All	www.bryantstratton.edu	22%	6%	43%
Elmira Business Institute	www.ebi.edu	21%	23%	7%
Five Towns College	www.ftc.edu	36%	8%	40%
Island Drafting & Technical Institute	www.idti.edu	70%	10%	10%
Jamestown Business College	www.jbc.edu	23%	1%	54%
LIM College	www.limcollege.edu	20%	7%	19%
Monroe College	www.monroecollege.edu	38%	3%	26%
Plaza College	www.plazacollege.edu	38%	7%	15%
School of Visual Arts	www.sva.edu	53%	7%	30%
Swedish Institute	www.swedishinstitute.edu	32%	10%	44%
The College of Westchester	www.cw.edu	37%	12%	20%

* This data is pulled from IPEDS

For additional information about APC member colleges visit our members' profile page at:
<https://www.apc-colleges.org/member-colleges/college-profiles>

Costs typically included for each category of expenditure	
Instruction	General academic instruction and occupational / vocational instruction (special session, remedial / tutorial, credit / non-credit) conducted by teaching faculty. Includes faculty salaries and benefits. Excludes administrators like deans.
Academic Support	Support services integral to instruction, research, or public service, including libraries, museums, galleries, AV services, academic development, computing support, course development, and academic administration.
Student Services	Admissions, registrar activities, activities contributing to student well-being and development, including career guidance, counseling, financial aid administration, athletics, student health services, and student records.

Written Testimony of
Robert Shireman, Senior Fellow, The Century Foundation
for the
New York State Legislature, Senate Committee on Higher Education
Hearing on For-Profit Colleges, April 10, 2019

Chair Stavisky and members of the committee, thank you for reaching out to The Century Foundation (TCF) for input on for-profit postsecondary education. I am Robert Shireman, director of higher education excellence and a senior fellow at TCF, a progressive, nonpartisan think tank launched 100 years ago by a department store magnate, Edward Filene, who cared passionately about fair labor standards and addressing the needs of the most disadvantaged in our society. Fellows in our education program work on issues of school diversity, college affordability, consumer protection, and accountability. On the issue of predatory practices in postsecondary education, TCF has facilitated research on the data, history and design of numerous local, state, federal and industry policies that seek to reduce the incidence of abuses.

The committee asked for recommendations for *metrics* that can be used to *evaluate* colleges. The usefulness of a measure, and the potential for gaming or unintended consequences, depends on who is using the metric and for what purpose. Consumers, state regulators, state scholarship program operators, student loan providers, accrediting agencies, occupational licensing entities, and owners and board members of colleges all differ in their interest in any particular piece of information and their ability to interpret it without an intermediary or adequate context. For the purposes of analyzing the usefulness of various metrics, my testimony focuses on three purposes for metrics:

- the usefulness of the metric for regulatory agencies and researchers to **monitor** a college for possible issues that may need to be addressed;
- the usefulness of a metric as **information** provided to consumers.
- the usefulness of a metric to **trigger** regulatory restrictions.

To better steer for-profit providers to bring quality and value to students and taxpayers, I think some of the best metrics for triggering regulatory action are (1) the extent to which a school or program is relying on third-party government loans or grants to pay tuition, (2) student debt levels that are high given the anticipated earnings, and (3) low spending on instruction as a proportion of tuition revenue. A fourth indicator that could be quite useful - but has not been

developed or used, as far as I am aware - is the rate of growth of a school's or program's enrollment, particularly when combined with warning flags on the first three metrics.

I would also like to point out that disclosure alone has not proven to be an effective consumer protection measure in education, due to the complexity of the product and, as you will hear from other witnesses, the students' trust in the advice provided by school officials. In a recent review of the research, seven leading economists who specialize in education found that "information provision alone is not enough to alter the enrollment choices of less-resourced students," nor is information adequate to "incentivize higher performance among institutions." For example, they point to research showing that the release of College Scorecard, a federal consumer information resource, had "no impact . . . on the college applications of students in less-affluent high schools, those with lower levels of parental education, and underserved minority groups."¹

In the sales process, which prospective students interpret as professional advising, recruiters commonly use oral statements to undermine the effectiveness of written disclosures. For example, the Center for Responsible Lending has documented one practice that for-profit schools use to mask low earnings data. Recruiters were trained to downplay a required disclosure that graduates from a particular medical assistant program earned only \$19,497—less than the average for a high-school degree holder. Instead, recruiters were trained to always highlight that a much higher salary figure that came from the Bureau of Labor Statistics but was not specific to the school's graduates.² A joint comment from a coalition of legal services organizations noted that:

Even when schools have students sign or initial disclosures and waivers among the stacks of paperwork enrolling students are required to sign, hundreds and thousands of our clients have told us that they were made promises at enrollment that bear no similarity to any such paperwork.³

The best legislative package the New York legislature could put forward would offer regulatory incentives for colleges to provide a sound education that results in real world betterment of the student. The approach would recognize that for-profit control of a college can

¹ Sandra E. Black et al., "Comment on FR Doc # 2018-17531" (Economic research comment), September 12, 2018, available at <https://www.regulations.gov/document?D=ED-2018-OPE-0042-13499>, citing Hurwitz, Michael and Jonathan Smith, "Student Responsiveness to Earnings Data in the College Scorecard," *Economic Inquiry* 56, no. 2 (2018): 1220–43.

² Robin Howarth, Whitney Barkley, Robert Lang, "Gainful Employment and Credentialism in Healthcare Support Fields: Findings from the Gainful Employment Data, Website Disclosures, and a Focus Group of For-Profit College Borrowers," Center for Responsible Lending, June 2018, <https://www.responsiblelending.org/sites/default/files/nodes/files/research-publication/crl-bitter-pill-jun2018.pdf>.

³ Comments from the Legal Aid Community to the Department of Education re: Proposed Regulations on Borrower Defenses and Use of Forced Arbitration by Schools in the Direct Loan Program, and Proposed Amendments to Closed School and False Certification Discharge Regulations at 41-42, Docket ID ED-2018-OPE-0027, August 30, 2018, available at <https://predatorvstudentlending.org/wp-content/uploads/2018/08/Comments-from-the-Legal-Aid-Community-on-Proposed-Borrower-Defense-Rule-8.30.2018.pdf>.

be positive in promoting access and quality, but that the same factors have frequently led the schools in the wrong direction, shortchanging students and taxpayers.

Below I provide an overview and brief discussion of a number of different measures of various types, with a summary analysis and brief discussion of their usefulness for monitoring colleges, as information for consumers, and as a regulatory trigger.

Indicator	Useful to monitor?	Useful information for consumers?	Useful as a regulatory trigger?
Tuition funds spent on education	Yes	Yes, probably	Yes

Predatory colleges spend enormous amounts of money on advertising and recruiting students, while spending little on actually teaching or support student success. Federal data are already collected from schools that would give states the ability to use low spending on instruction as a trigger for heightened oversight or restricted aid.⁴ Consumers, too, would likely appreciate knowing how much of their tuition dollar is going to teaching.

The essential purpose of a college is to educate. If a school is not spending a good portion of its tuition dollars on actual teacher interactions with students, then students and regulators should examine whether the education is worth the price.

Indicator	Useful to monitor?	Useful information for consumers?	Useful as a regulatory trigger?
Graduation rates	Yes	Yes	No

Graduation rates are another example of a metric that can be useful and appropriate for one purpose, but not for another. For consumers, it can be useful to know graduation rates over various intervals because it provides information about what might happen to them, and provides fodder for comparing schools and asking questions about transfers and other trajectories of students who leave. (In some cases, students leave not because of any problem with the school or the student, but because they got good jobs even before finishing a program).

However, using graduation rates as a hard-wired regulatory trigger creates an incentive for schools to reduce academic rigor, in order to pass through students. At the K-12 level, tying consequences to graduation rates have made them “the phoniest statistic in education,” according

⁴ Stephanie Hall, “How Much Education are Students Getting for their Tuition Dollar?” The Century Foundation, February 28, 2019. <https://tcf.org/content/report/much-education-students-getting-tuition-dollar/>

to the conservative Fordham Institute.⁵ Reducing rigor is easy for schools to do and nearly impossible for regulators to detect or police. You could fill a graveyard with all of the embarrassing policy failures caused by excessive reliance on measures like graduation rates that can easily be gamed by schools.⁶

A diploma mill has a 100 percent graduation rate.

Indicator	Useful to monitor?	Useful information for consumers?	Useful as a regulatory trigger?
Tuition financed by employers or other private payers	Yes	Probably not	Yes

Representatives of the for-profit college sector sometimes argue that their schools are “serving” the poor and therefore are unable to attract even a slice of their tuition revenue from employers, scholarship programs, or others who can independently vouch for the school’s value. The claim does not stand up to scrutiny: at nonprofit and public schools, high enrollments of low-income students is *not* associated with near-total reliance on federal aid. Even at schools with many low-income students, diverse financial support makes schools better by “sharing oversight and benefiting from market discipline.”⁷

Regulatory guardrails like the 90-10 rule, which call on schools to demonstrate, through a market indicator, that they are providing value for the money, help to protect both the students’ and taxpayers’ investment. A private company that sets its own price while totally relying on public grant and loan funds is a recipe for disaster.

Executives at General Assembly, a highly-regarded computer coding school, say flooding schools like theirs with government funds, without adequate safeguards, causes “an influx of bad

⁵ Brandon L. Wright, “America’s graduation rate malfeasance is a symptom of a broken system,” Fordham Institute, February 14, 2018, <https://fordhaminstitute.org/national/commentary/americas-graduation-rate-malfeasance-symptom-broken-system>

⁶ See for example: Burt S. Barnow and Jeffrey A. Smith, “Performance Management of U.S. Job Training Programs: Lessons from the Job Training Partnership Act,” *Public Finance and Management*, 4(3), 2004 pp. 247-287 http://www-personal.umich.edu/~econjeff/Papers/barnow_smith_published.pdf

⁷ “A higher share of students receiving Pell Grants is a strong predictor of noncompliance with 90/10 only in the for-profit sector.” Vivien Lee and Adam Looney, “Understanding the 90/10 Rule: How reliant are public, private and for-profit institutions on federal aid?”, Brookings Institution, January 2019, <https://www.brookings.edu/research/does-the-90-10-rule-unfairly-target-proprietary-institutions-or-under-resourced-schools/>

actors” that stymies the very innovation the companies hope to promote.⁸ A national accreditor of online schools, DEAC, has a 75% cap on federal aid to its schools, because being accountable to employers who have skin in the game drives improvement of school quality and stronger student outcomes.⁹ The University of Phoenix was able to grow and maintain quality in the 1990s because of its focus on *employers* that supported more than 40 percent of its students, preventing the school from promoting low-value programs at high tuition prices.¹⁰

Indicator	Useful to monitor?	Useful information for consumers?	Useful as a regulatory trigger?
Degree-granting versus certificate-granting school	Maybe	Probably not	No

It may be that in the past the problem for-profit schools in New York were those that offered only certificates, so there was some logic to applying stricter rules only to those schools. But if that was true, it is no longer the case:

- Spending on instruction as a proportion of tuition revenue is the lowest at New York’s four-year, degree-granting for-profit schools. The median is only 32 percent, compared to 38 percent at certificate-granting schools and 40 percent at two-year for-profits. (At nonprofit schools, spending on instruction is much higher, 63 percent, and higher still at public institutions).
- Former students of New York’s degree-granting for-profits have more difficulty repaying student loans. Student loan repayment rates are actually higher at certificate-granting for-profits (45 percent, compared to 39 percent at the degree-granting schools), and much higher at nonprofits (71 percent) and publics (58 percent).
- Analyzing longer term salary outcomes, former students of New York’s degree-granting for-profits have much lower earnings than those attending nonprofit or public institutions (\$36,000, compared to \$64,000 and \$48,000).

⁸ Liz Simon and Tom Ogletree, “Stimulate Innovation? Yes, But Not DeVos’s Way,” *Inside Higher Ed*, February 20, 2019, <https://www.insidehighered.com/digital-learning/views/2019/02/20/boot-camp-operators-caution-against-easing-federal-regulation>

⁹ The Distance Education Accrediting Commission standards are available at

<https://www.deac.org/UploadedDocuments/2018-Handbook/2018-Accreditation-Handbook-Part-Two.pdf>

¹⁰ John D. Murphy, *Mission Forsaken: The University of Phoenix Affair With Wall Street* (Proving Ground Education, 2013), citing Apollo Group, Apollo Group Prospectus, Smith Barney Inc., Alex. Brown & Sons, December 5, 1994, p. 3.

Nationally, most of the for-profit schools that have collapsed in disgrace in recent years were degree-granting schools.

Indicator	Useful to monitor?	Useful information for consumers?	Useful as a regulatory trigger?
Rate of growth	Yes	No	Yes

Much of the damage from predatory for-profit college scandals in recent years would have been prevented if there had been a check on institutions, many of them online, that grew quickly, failing to adequately advise students and failing to provide them with a quality program. In fact, too-rapid growth is what the head of the national for-profit lobbying association says was the cause of the horrendous abuses.¹¹

Restricting rapid growth, particularly if it is largely or wholly financed with loans for government grants, could be a useful consumer protection and enforcement tool. However, its effectiveness at the state level would be undermined by New York’s participation in an agreement that defers to other states to oversee schools enrolling New Yorkers in online programs. New York should seek changes to this reciprocity agreement, (known as NC-SARA) so that it better prioritizes consumer protection, or consider establishing an alternative approach to reciprocity.

Consumers would not likely find rate-of-growth information to be meaningful.

Indicator	Useful to monitor?	Useful information for consumers?	Useful as a regulatory trigger?
Earnings and student loan debt of former students	Yes	Somewhat	Yes

The federal gainful employment rule uses measures of graduates’ earnings and student loan debts to trigger schools to address shortcomings in their programs when debts are unreasonable given the salaries that graduates are earning. These measures are directly related to consumer interests and are externally validated, making them difficult for schools to game.

¹¹ “We were a sector that grew too much, too fast,” industry lobbyist Steve Gunderson explained. “We didn’t have the infrastructure to serve it.” Josh Mitchell, “For-Profit Colleges Look to Trump for a Pass,” *Wall Street Journal*, December 2, 2016, <http://www.wsj.com/articles/for-profit-colleges-look-to-donald-trump-for-a-pass-1480680001>.

It is useful for these data to be available in the public domain for analysis and use, including by consumers. But as I explained in my introduction, disclosure is not enough.

Indicator	Useful to monitor?	Useful information for consumers?	Useful as a regulatory trigger?
Use of forced arbitration and class action bans	Yes	Maybe	Yes

To prevent regulators from becoming aware of manipulative practices or low quality programs, predatory colleges restrict students' ability to raise grievances. Public and nonprofit institutions rarely if ever find a need to restrict students' rights in this way, because they are not trying to take advantage of students. Regulators should be on high alert if a college is asking or requiring students to sign pre-dispute agreements to arbitrate disputes, to not join with other students in filing complaints, or to keep complaints confidential.

Indicator	Useful to monitor?	Useful information for consumers?	Useful as a regulatory trigger?
Student loan default rates	Yes but	No	Yes but

Default rates are important to track. But the three-year cohort default rate (CDR) offers one cautionary tale of how using a measure for policy purposes can undermine the usefulness of the measure itself, due to gaming by institutions.¹²

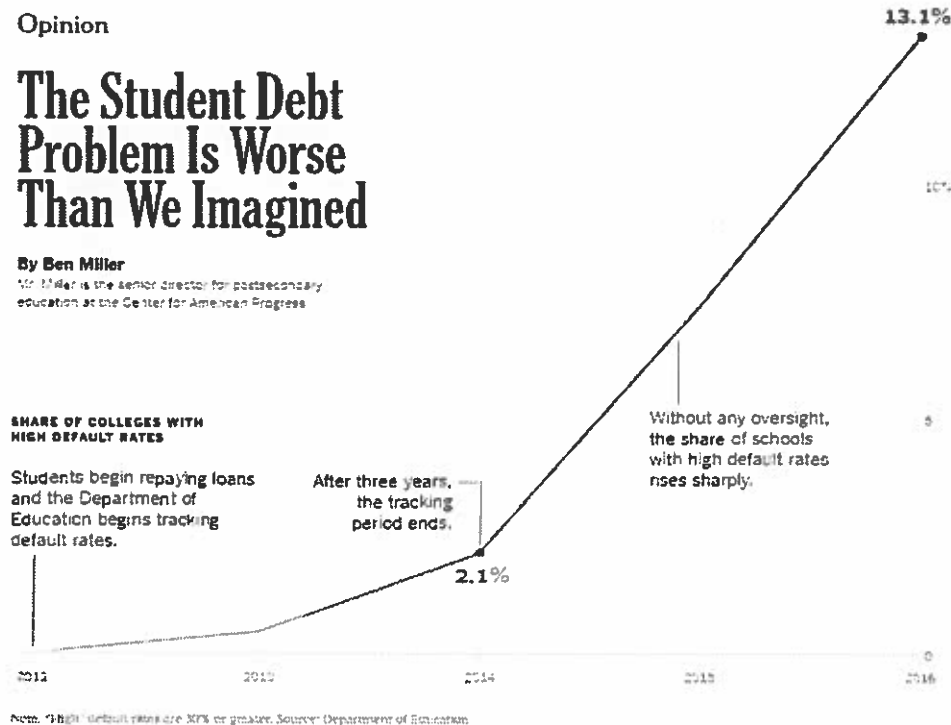
When Congress first decided to cut off federal aid to schools with high default rates it did so because it was a strong indicator of a predatory school. Former students who were not making enough money to repay their loans, or who felt they were poorly treated or misled, would default, producing a high default rate associated with the school. The idea behind the default rate cutoff was that schools at risk of hitting the maximum would have a strong incentive to make their recruiting more honest, their pricing more fair, their offerings better targeted for good jobs, and/or their instruction and student support more robust.

Predatory schools, however, rather than improving the education in response to a high default rate, discovered that they could avoid the reduction in profitability that would come from improving the education by instead manipulating the default rates more directly. By monitoring

¹² This adage is frequently referred to as Goodhart's Law: "When a measure becomes a target, it ceases to be a good measure." Marilyn Strathern (1997). "Improving ratings": audit in the British University system." *European Review*, 5, pp 305-321 doi:10.1002/(SICI)1234-981X(199707)5:33.0.CO;2-4.

former students' loans and filing paperwork for them, they could keep the default rate down, at least until the point at which it was being measured.¹³ The practice has become so common that some school leaders misunderstand the *purpose* of the default rate cutoff itself, believing it exists to spur them to put resources into what is euphemistically called "loan counseling."

The three-year rate is still meaningful. In particular, a high rate at a school where a large proportion of students borrow is a major red flag. However, a low rate is not the green flag it used to be. A *New York Times* article about default rate manipulation includes the telling chart, below, showing that defaults spike dramatically after the regulatory snapshot at the three-year point.



Loan repayment data is external to the school and therefore subject to analysis by regulatory authorities, to check for signs of manipulation. Indeed, schools in New York have been caught going beyond the legal manipulation tactics. Apex Technical School, in Queens, was caught signing borrowers' names on forbearance requests that would reduce the school's calculated default rate (ED-OIG Case #05-020015). Technical Career Institute, which is now closed, was caught converting 301 former students' loans into private loans to reduce the

¹³ See U.S. Government Accountability Office, *Federal Student Loans: Actions Needed to Improve Oversight of Schools' Default Rates* (GAO-18-163), April 2018.

school's default rate. Borrowers who didn't pay were sent to collection agencies (ED-OIG Case #A02H0007).

Official five-year default rate figures from the Department of Education are available for all schools, and should be used by regulators.¹⁴ In terms of consumer information, however, default rates are not something that is familiar to most students and families.

In Conclusion

I commend the committee for taking the time to begin exploring possible solutions to predatory practices that can undermine the potential for innovation and quality in for-profit postsecondary education. As I noted at the start, there are some metrics that could be useful as regulatory triggers. In particular, the overreliance on government aid, underspending on education, and debts that are out of line with salaries, are all good measures that are less vulnerable to gaming by schools than are some other measures.

Along with my colleagues at TCF, we stand ready to work with you to analyze potential directions forward to promote excellent outcomes for New Yorkers pursuing postsecondary training and degrees.

¹⁴ Ben Miller, "How You Can See Your College's Long-Term Default Rate," Center for American Progress, August 30, 2018, <https://www.americanprogress.org/issues/education-postsecondary/news/2018/08/30/457296/can-see-colleges-long-term-default-rate/>

**TESTIMONY OF SCOTT SHAW, CHIEF EXECUTIVE OFFICER
LINCOLN EDUCATIONAL SERVICES CORPORATION**

NEW YORK STATE SENATE HIGHER EDUCATION COMMITTEE

**WRITTEN TESTIMONY ON PUBLIC HEARING TO EXPLORE WAYS TO REVIEW
OVERSIGHT OVER FOR-PROFIT SCHOOLS IN ORDER TO BETTER INFORM
STUDENTS, PARENTS AND CONSUMERS ABOUT FOR-PROFIT EDUCATION
SCHOOLS**

APRIL 10, 2019

Thank you for allowing Lincoln Technical Institute to provide written testimony before the Senate Committee on Higher Education on the topic of oversight of for-profit colleges and schools in New York. My name is Scott Shaw and I serve as the Chief Executive Officer of Lincoln Educational Services Corporation, the parent corporation for Lincoln Technical Institute ("Lincoln Tech") in Whitestone (Queens), New York.

Before describing some of the history and background of our school located in Queens, I would like to acknowledge to the Committee that certain actions by for profit schools have certainly given the industry a black eye. Conversely, Lincoln Tech has been a school that has been accountable to all each of its regulating agencies and its students. Further, we believe this proven record of accountability was one of the primary reasons for being chosen by a trusted New York organization to help fill the dearth of automotive technicians in the region. With that in mind, if the Committee is assessing how to provide more information to prospective students, I would ask that any future legislation require greater transparency of school and program-level data. Secondly, we would suggest this data be consistently published among *all* sectors of higher education and not just for profit schools and colleges.

As you may know, Lincoln Technical Institute has been operating a campus in the state of New York since 2006, but has been offering automotive and skilled trades training to residents of New York for decades. Our first school which opened in Newark, New Jersey in 1946, and now in Union, New Jersey, enrolled students from the five boroughs, and our location in Mahwah, New Jersey, has been enrolling New York residents from Orange and Rockland counties since 1993.

Since our inception, Lincoln Tech has never wavered from its original mission to train students in career fields with excellent employment opportunities. Today, our Queens campus offers one singular program - Automotive Technology. This program was offered at our original Newark, New Jersey campus in 1946 and our school continues to revise the curriculum of this program based on information provided to us by our advisory board members who are local New York employers.

The success of Lincoln over the past 70 years led the Greater New York Automotive Dealers Association (“GNYADA”) to collaborate with our school to build a state of the art complex that houses both GNYADA and Lincoln Tech in the College Point section of Queens. The goal of this partnership was to have Lincoln Tech fulfill a tremendous need for skilled automotive technicians in the New York metropolitan region. To say the least, Lincoln Tech has exceeded that goal by contributing more than 3,000 technicians to over 1,500 different employers in the past ten years.

As this Committee is embarking on a discussion of accountability of for-profit schools, I would like to convey my concerns over the precipitous closures of colleges that seem to be occurring at an alarming rate. The impact of those closures on students without the ability to achieve their dream to graduate from college is unspeakable. In many cases, our schools have served as an option to complete their credential or our campus staff directed those students to the proper oversight agencies to obtain information concerning their next steps. With that in mind, if this Committee addresses the topic of school closures, we certainly would like to provide some input as our system of schools has taught out several campuses without impacting students.

We understand the genesis of this hearing came out of the Governor’s proposal in his most recent budget that would have restricted where our school derived its revenue and required an unachievable percentage in our school’s budget for instructor salaries that no institution of higher education in New York, including not-for-profit and public, would have been able to meet.

As we discussed this proposal with the elected officials and businesses in our district, every one of them expressed their concern that this was directed solely at our sector of higher education. Even the *Wall Street Journal* editorial board chimed in on the Governor’s proposal with its article that described how the proposal would ultimately hurt low-income students.

If the goal of the Governor was to develop accountability measures for our sector through legislation, then Mr. Cuomo clearly missed the mark and followed the lead of those who want the entire for-profit sector of schools and colleges to disappear. However, the Committee should know that Lincoln Tech welcomes any reasonable accountability measures that *all* colleges and schools in New York would need to meet.

For example, as of today, the U.S. Department of Education’s College Scorecard provides a wealth of data on all degree-granting institutions in the United States. This includes data on graduation rates, debt, and earnings after graduation. This same data should be offered on all institutions, both non-degree and degree-granting for prospective students and parents to review before making their final decision on attending a certain college.

However, Lincoln publishes a tremendous amount of information on its website that can be easily accessed well before a prospective student steps foot on our campus. This information includes graduation and employment rates as provided to our accrediting agency, a copy of our current catalog, all tuition and fees, and the gainful employment statistics as required by the U.S. Department of Education. All of this information gives a prospective student a transparent view of Lincoln Tech by providing the most important quantitative statistics to make an educated decision on attending our school.

For schools whose mission is to prepare students for careers, the most important accountability measure is its employment rate. Our campus in Queens, which is accredited by the Accrediting Commission of Career Schools and Colleges is required to meet a 70 percent employment benchmark. Our school made the step several years ago to re-verify every placement included in our placement percentage by using a third-party to contact every employer or student to determine our graduate's employment status. Only after our third-party company re-verifies the employment status of our graduates would that placement be included into our percentage.

Most schools operating in New York have several layers of oversight by state and federal agencies, as well as an institutional accreditor. In addition, all of the schools that are participating in the federal student aid program have a wealth of regulations that must be followed in order to continue their participation. For those that do not meet the standards of their accrediting agency, the U.S. Department of Education, or the NYSED, risk losing their ability to operate and possess accreditation, or participating in the federal student aid program.

Lastly, we know there has been a tremendous amount of discussion about the amount of student debt upon completion of college. Lincoln understands an overwhelming amount of debt can influence a graduate's livelihood whether we have assisted in finding employment or not. Through our internal scholarships, as well as the federal Pell Grant program, the median debt for those who graduated from the Queens campus is just above \$10,000. We also provide a great deal of financial literacy training to students about repayment of their federal loan. This is evident in the results of our cohort default rate which is less than all types of proprietary institutions as well as private and public institutions offering programs less than 2 years in length.

As you embark on this hearing, our hope is that the Committee will continue a review of the entire sector of higher education. Accountability and affordability of higher education is more than a trending topic to anyone interested in furthering their studies or finding a long-term career. We feel as though our current oversight by federal and state regulators, and our national accreditor provide the requisite level of accountability to provide comfort to any prospective student. Further, the data published on our website confirms that our school will always be transparent with its outcomes.

I noted earlier that our Queens campus has assisted over 3,000 graduates find employment over the past ten years. With over 1,500 employers hiring Lincoln Tech graduates, any legislation that would limit our ability to help train more students in careers like automotive technology would be harmful not only to Lincoln Tech, but also to the economy of New York.

I thank you for the ability to provide this written testimony and would be available to answer any questions the Committee may have in the future.

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Institute of Culinary Education

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Hon. Toby Ann Stavisky
Committee on Higher Education
Legislative Office Building Room 913
Albany, New York 12247

April 8, 2019

Honorable Stavisky:

The Institute of Culinary Education (ICE) appreciates the opportunity to present comments regarding the perceived need for additional regulation of the for-profit education sector. I am the Chief Operating Officer of the school and we have been in Manhattan for 42 years.

The force behind the drive to increase regulation appears to be the proponent's perception that the DeVos led Department of Education has reversed the more stringent rules put in place by the Obama Administration, specifically the provisions of the Gainful Employment Rules. While we object to many of its provisions, ICE received passing scores under these Rules. We also believe that the same standard of accountability should be applied to all post-secondary institutions across the board, without regard to for-profit or not-for-profit status. Surely, all students would benefit from the information contained in the Gainful Employment Disclosures.

It is also worth noting that many of the bad actors that triggered the Obama regulations have been closed and that bad actors like Art Institutes/Argosy/Dream Foundation are continuing to be closed under the current regulatory schema.

Another often-mentioned criticism of the for-profit education sector is that we "overcharge and under deliver." In culinary education, the largest school in the State is the Culinary Institute of America (CIA), a non-profit located in Hyde Park with 3,131 students. According to the College Navigator, the tuition cost for an associate's degree would be approximately \$65,440. At ICE, our tuition for the 8 month Culinary Arts Program is \$38,001. And, it is important to note that graduates of both schools compete for the same jobs.

Outcomes are another key metric in assessing the quality of an institution; ICE's graduation rate exceeds that of the CIA and is far superior to local community colleges offering culinary arts programs.

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ice.edu

Institution	% of Students Graduating in 150% of "Normal Time"
Institute of Culinary Education	86
Culinary Institute of America	73
Nassau Community College	24
Suffolk Community College	26
Kingsborough Community College	28
Rockville Community College	28

Another concern of the proponents for increasing regulation is that for-profit institutions burden students with unportable loan payments. A key metric for students' ability to repay their loans is the cohort default rate, and as the chart below indicates, ICE has a default rate that is materially lower than the not-for-profit competitors.

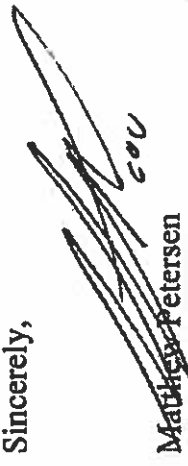
Institution	2015 Cohort Default Rate
Institute of Culinary Education	3.2
Culinary Institute of America	6.3
Nassau Community College	10.4
Suffolk Community College	9.6
Kingsborough Community College	14.7
Rockville Community College	12.5

Our default rate is low because of our commitment to helping students find jobs and to offering ongoing career support to our alumni. In its website, the CIA provides the following placement information: "For CIA students who graduated between July 1, 2016 and June 30, 2017, a post-graduation outcome is known for 82%. Of those students whose outcome is known, 94% were employed, continuing their education, or not seeking employment." ICE's third-party verified placement rate includes all of our students, not just the ones we can contact. On an "apples-to-apples" basis CIA's effective placement rate would be 77% at best. Despite these stringent regulations, our placement rate of 82% exceeds that of the CIA. Unfortunately, no placement data is available for the community colleges. We believe that the proper measure of a school is outcomes and all institutions should be required to report this data using a common methodology, irrespective of profit status.

A final area of concern is the proponent's insistence on regulating how for-profit schools allocate their revenue. Each school has a unique business model that makes the imposition of universal requirements unportable. Our school is located in a Class A office building across from the World Trade Center and construction on the facilities was completed in May of 2015. It has nothing in common with a routine

In closing, I would respectfully ask that the Committee recognize that the regulations imposed by accreditors, along with state and federal agencies are sufficient and, when considered in conjunction with the factors listed above, that they would refrain from imposing additional regulations on the for-profit career schools.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Petersen', with a stylized flourish at the end.

Matthew Petersen
Chief Financial and Operating Officer



DAKTRONICS.COM

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8 April 2019

New York Senate

Senator Toby Ann Stavisky
188 State Street Room 913, Legislative Office Building
Albany, NY 12247
Phone: (518) 455-3461
Fax: (518) 426-6857
stavisky@nysenate.gov

RE: DeVry College of New York

Dear Senator Stavisky:

As Corporate Recruiter of Daktronics, it is my responsibility to have a productive and engaged employee base. We have nearly 3,000 employees globally, though we are based in a small town in eastern South Dakota. My challenge remains to recruit and attract talented workers to our roles across the country, where we may not have physical premises. It isn't an easy prospect. Like most businesses, some of the biggest challenges we face include hiring skilled people and providing opportunities to help them grow in their careers. For Daktronics, DeVry University* seeks to truly understand our training and development needs so they can offer solutions to help us acquire and retain strong talent, plan for succession, and close the skills gap.

We understand DeVry's reputation was put into question at a recent 2019 Higher Education Joint Budget Hearing in Albany. As an employer who has partnered with DeVry, we would like to share our experience.

I have been most impressed with the level of service I receive from the Employer Relations team at DeVry. Though I am one employer out of many, my requests are professionally and quickly responded to, and I cannot tell you how much this means to me as a chronically busy professional! They have made it easy for me to have one point of contact, as my employment needs can be unpredictable and span the country. I need an ad hoc approach when I have one engineer to hire in one market, and DeVry's structure is uniquely suited to our technical services needs.

- By leveraging DeVry's recruiting resources, such as on-campus and virtual career fairs, webinars and exclusive recruiting events, Daktronics has hired more than 100 DeVry graduates over the years who have the skills and qualifications we require, and, in so doing, make an impact on our business each and every day.



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- As of today, April 8, we have 38 full-time workers on staff who have graduated with degrees from DeVry. They make up a significant portion of our Field Service Engineer roles, many of them are regional service managers and leaders in our technical services organization. DeVry has been absolutely critical for us in meeting this specialized employment niche.

As you can see, we value DeVry University's contribution to our workforce. They are helping us at Daktronics every day. We are grateful for their educational partnership and skills gap expertise. I will continue to look to DeVry for qualified talent and help keep our current workforce prepared for the future.

Thank you for your continued support of DeVry University.

Respectfully,

A handwritten signature in black ink, appearing to read 'Leah Brink'.

Leah Brink
Corporate Recruiter & Student/Intern Program Manager

tel 605.692.0200 ext 56553 mobile 605.690.5310
website www.daktronics.com
www.linkedin.com/in/leah-brink-5929184

Follow Us      

*In New York, DeVry University operates as DeVry College of New York.



April 5, 2019

The Honorable Toby Stavisky
Chair of the Committee on Higher Education
New York State Senate, District 16
Room 913 Legislative Office Building
Albany, NY 12247

Dear Senator Stavisky,

We appreciated the opportunity to meet with your team in Albany last month. DeVry College of New York is a degree-granting higher education institution serving nearly 1,500 New York students across three New York City locations and online. Founded in 1931, DeVry's mission is to foster student learning through high-quality, career-oriented education integrating technology, science, business and the arts, which we pursue via practitioner-oriented undergraduate and graduate programs. More than 7,000 DeVry University alumni currently reside in New York.

I am writing to share our insights and best practices concerning effective oversight of New York higher education institutions. We are pleased to learn the For-Profit College Accountability Act was removed from the 2020 budget, but we know there is still work to be done. We stand ready to partner with your Committee to develop effective policies that will protect students, expand access to higher education, and combat student loan debt.

DeVry has a long history of championing equitable and effective accountability for all higher education institutions. As with any industry, some organizations in higher education operate more ethically than others. Our expectation is that all institutions in all sectors will follow our lead and operate with the same high level of transparency and commitment to students.

Examples of both good and bad practices are found in every sector, which regrettably has been reinforced by recent media reports of scandals and unethical behavior throughout higher education. Exempting institutions from regulatory scrutiny due solely to their tax status will only harm the very students we are collectively working to empower. It would allow unsavory practices to continue undeterred, limit student choice, and reduce access to higher education. This strengthens our view that regulatory efforts should be focused first and foremost on protecting all students and should apply equally to all institutions. All students, regardless of the tax status of their institution, should benefit from robust protections that are thoughtfully crafted with input from all stakeholders.

We also believe advocating for equitable and effective public policy is simply not enough. Instead, DeVry has taken a leadership role in fostering greater transparency and accountability by voluntarily adopting our own accountability standards in 2016. We refer to these standards collectively as our Student Commitments. The following is an overview of our Student Commitments:

1. Informed Student Choice:

We provide all prospective students with a disclosure containing key information about program performance, such as total cost, debt and default rates, as well as completion and graduation rates.

2. Responsible Recruitment and Enrollment:

We provide individualized financial and academic advising to all prospective students, and discuss with them any questions or concerns before making any financial commitment.

We record all admissions conversations, and have a process to evaluate a subset to ensure compliance and clear student communication.

We publically report our use of revenues for marketing, instruction and academic support, student services and scholarships.

3. Responsible Participation in the Federal Loan Process:

We have committed to derive no more than 85% of our revenue from federal funds, which includes military and VA funding. This exceeds the existing "90/10" federal requirement, which does not include military or VA funding in the federal portion.

Before implementing new academic programs, we review the planned program's pricing and expected career outcomes to ensure alignment with the student's ability to repay debt upon successful completion of the program.

4. Financial Literacy and Academic Transparency:

We provide each student with an annual Borrower Advisory Notice, which contains a detailed outline of the student's borrowing and repayment obligations.

We provide students with clear information and assistance throughout their educational experience regarding their progress and financial investment towards their academic goals.

We provide all students with access to Manage My Loans, a dynamic online tool that gives students ongoing visibility into overall program progression, outstanding loan balance (including estimated repayment obligations), financial position compared to academic progress, and credits required to graduate.

5. Improving Student Satisfaction:

Our enrollment agreements do not require students to arbitrate disputes with us, nor do we prohibit students from participating in or seeking class action remedies.

We maintain clear and transparent student complaint resolution policies readily available to students via DeVry's website and academic catalog or student handbook.

We provide students with an escalation pathway and contact information to state oversight bodies with jurisdiction over student consumer complaints.

6. Successful Student Outcomes and Accountability:

We identify and proactively engage with students who may be at risk for program completion. One example of our dedication to student outcomes is our partnership with Civitas Learning to implement a tool called Inspire. The tool uses algorithms based on student success predictors to provide faculty and Student Support Advisors with course-level engagement information for each individual student to identify underperforming students at risk of failing a particular course.

DeVry Student Support Advisors target proactive outreach to at-risk students at the right time with personalized advising strategies that take into account student-specific insights from Inspire, such as student background, course information, warning flags and outreach history.

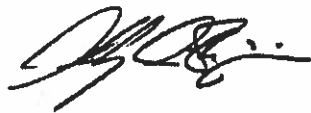
An independent third party reviewed and confirmed DeVry's adherence to these commitments to our students in 2017 and 2018, demonstrating DeVry's commitment to student outcomes, transparency and accountability.¹

We hope other institutions will be inspired to adopt similar standards, and encourage the Committee to consider these as a basis for formulating policies that will protect all New York students.

¹https://www.adtalem.com/content/dam/atqe/www_adtalem_com/documents/newsroom/18.12.20%20Adtalem%20Commitments%20Report.pdf Please note DeVry is included with other Adtalem schools on this report, since it was published before our recent ownership transition. Moving forward, DeVry University will report independently.

We look forward to a thoughtful discussion. Should you have any questions or concerns please do not hesitate to contact me at 212.312.4402 or at astanziani@devry.edu.

Sincerely,



Anthony A. Stanziani
Group President, Northeast

CC: New York Senate Committee on Higher Education

**Written Submission for Senate Higher Education Hearing
Katarina Rdultovskaia**

April 10, 2019

To whom it may concern,

I appreciate the opportunity to tell my story and experience with the Art Institute, and how it misled not only myself but countless other students into massive debt. My name is Katarina Rdultovskaia and I currently live in Brooklyn, New York but my experience started with the Art Institute in Fort Lauderdale, Florida. I attended the Art Institute of Fort Lauderdale from 2007-2010 and earned a Bachelor's degree in Illustration, and after completing their program, I graduated with \$80,000 in debt.

I decided to go to the Art Institute, because I was told that this school had the tools, knowledgeable, experienced staff, and above all, the connections to companies in my field of study. I believed that the Art Institute was the only school that specialized in my field and had a career path after graduation after being told grandiose promises of getting placed in a job in my field post-graduation, and that AI had a 98% placement rate for all graduates.

I had always drawn from a young age, and there was never a time you could not see me drawing for hours on the floor. After taking an advanced placement portfolio class in high school, I got excited about the possibilities of utilizing my drawing skills in a career. At the time of my high school graduation, I had just been approved for a Green Card after immigrating to the US in 1999. My options were extremely limited since I did not have any status and I could not afford to pay for a school outside of the state. As I did not know that art schools existed, I started college at Broward Community College, where tuition for four classes was just \$1,000 a year. At the time I had no idea that student loans even existed, and I did not qualify for grants or FAFSA, so for a while, I worked as a waitress to pay tuition fees myself. After some time, I realized I wanted a more focused arts program, which is when I considered the Art Institute.

I had always seen advertisements for the Art Institute because there was practically nowhere you could have looked without seeing one in Fort Lauderdale. They were plastered on buses, bus stop benches, billboards, and even broadcasted on TV boasting about how they had top of the line facilities, and almost astronomical graduation job placement rates of 98%. When I decided to attend the school's open house, I was taken around the school by a recruiter and told how AI had a "competitive edge" over other schools because they provided students with "industry veterans" to teach us the ins and outs of our industry, and had close ties and relationships with companies, studios, and agencies that would guarantee we would be able to find an entry level position in our field of \$40,000 or more right out of school. They even reassured me that they helped students find employment outside of Florida. I would later find out that nearly all that they boasted was untrue.

When they finally broke down the cost of the school, I was extremely hesitant. \$80,000 was a huge number for me and my family, but the recruiter said they had an easy way of getting special grants and I would qualify for loans that would easily cover the tuition. And furthermore, that with their "fantastic" career advisors, I could easily start making payments right away as I grew my career. They had the best marketing pitch on the planet to persuade students who wanted a career in the arts, an industry that is heavily dependent on connections. If I knew everything I know now, I would have never agreed to enroll and take on such monstrous debt.

After feeling like this was the only way to my future as an illustrator, I decided to enroll. To say that I was "rushed" through the loan process would be an understatement. I was promised that my loans would not accumulate interest while going to school, which I later learned was not true. While going through the paperwork with my mother, the only thing that the school stressed to us at the time was that if we defaulted on the loan, there would be consequences. They pressed us to sign as soon as possible to be able to start on time with the quarter. As we were both immigrants and had no experience with student loans, we thought this was a normal process. As I started my time at AI I would constantly be called to the financial office and told that I had run out of money on my loan and that we had to apply for a new one. I thought it was strange that I

constantly had to sign new loan paperwork, but my advisor said it was a regular occurrence and provided little clarity as to why.

The Illustration program was a mix and match of some graphic design courses and fine arts courses but overall was not focused on the specific skills that aligned with the illustration industry. While in class, I could see a clear disparity in the skill of students in my program and thought it was concerning that AI allowed students that could not grasp basic drawing principles to enroll for an \$80k degree. As for the teachers being “industry veterans,” this may have been the case at one point in time, but many were teaching with outdated perspectives and did not merit the cost of about \$2,000-\$3,000 per class.

As I was nearing the end of my degree I started getting nervous, since I had yet to be taught how to apply for jobs in my field or how to find them. Most of the jobs in my field were freelance-based and we did not get any guidance on how or where to start a freelance business. In my last quarter, I had one class on how to write a generic resume and that was all. Despite, graduating on the Dean’s list for high achievement and with Best Portfolio, upon seeking jobs, I came to realize my portfolio and degree actually did not align with current industry standards for Illustration. As a result, most of the leads I received from my portfolio showcase went nowhere.

My last remaining options came from my career services advisor. However, these were only dead-end craigslist jobs, one of which was simply painting homes for \$12/hr. Upon discovering that my school really did not have any connections in Florida, I inquired about available jobs outside of the state since I was informed before I enrolled that my school would work with students to place them in jobs even outside of Florida. However, my advisor said that they did not do out-of-state placement. Again I felt deceived and misled, and with no in-state job prospects and a repayment grace period soon nearing its close, I decided to take matters into my own hands and move to New York with just \$2,000 and an upcoming loan repayment of \$900 a month (the minimum).

Between working many odd jobs and at one point 3 jobs at once just to earn \$20k/yr, I eventually found my way to an entry level position as a visual designer, and after eight years time, worked my way up to where I am now as a Product Designer for a software company. However, in this time my loan has ballooned to \$200,000.

While I am happy with my current position, it took moving to another state entirely on my own with no leads or help, and working on new skill sets to be where I am now. There were many hungry nights when I wanted to completely give up “making it”. During that time my mother had developed several autoimmune conditions that have been disabling and I have been helping to keep her on her feet. Although I feel like I am now in a better place than some of my AI peers, I don't use any of the knowledge I learned from AI and am stuck with a \$200k loan that just continues to grow and grow.

No student should ever be able to sign into this life long debt sentence on the premise of lies from institutions who are taking advantage of loopholes and young people who are only looking to better themselves. You see many scams on the internet, but no one could have imagined that there was a scam that was brick and mortar pumping out false promises of great futures at an astronomically high price tag. If I can be just one voice of many who are too scared, and ashamed to speak out about their situations, I hope I can provide insight into thousands of similar situations. These institutions have gone unchecked for far too long, relying on the naivety of young people, and societal requirements of college degrees in order to be successful in America.

Thank you for your time.

Katarina Rdultovskaia